

ITEM NO:

<u>Location:</u>	Land at Campfield Way and Highover Way, Letchworth Garden City
<u>Applicant:</u>	Settle Group
<u>Proposal:</u>	Redevelopment of site comprising demolition of existing buildings and provision of 157 dwellings; associated roads, landscaping, open space, car and cycle parking provision, drainage and infrastructure works and all associated ancillary works (as amended)
<u>Ref. No:</u>	24/00326/FP
<u>Officer:</u>	Sarah Kasparian

Date of expiry of statutory period: 4 June 2024

Extension of statutory period: 22 April 2026

Reason for Delay

Due to detailed negotiations and re-consultation, and subsequent pre-determination archaeological investigations

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 comprises a 1950s development around Highover Road and Campfield Way of Hawksley Bungalows and a series of brick-built maisonettes along Icknield Way.

1.2 There were applications in 2008 (ref. 08/01422/1CAC and 08/01265/1) for the demolition of 60 bungalows and erection of 99 dwellings and associated infrastructure. These applications were refused planning permission for the following reasons, in summary:

1. The bungalows considered as a group, with their layout and design make a positive contribution to the character and appearance of the Conservation Area. The lack of evidence in favour of their demolition was lacking and so there was a strong presumption in favour of retaining those buildings;
2. The proposed redevelopment would not be an acceptable standard of design and layout, including informal open spaces, formal layout, lack of sense of openness, lack of open space to the front of buildings, and impact on adjacent open spaces to the detriment of the existing pattern of development and open spaces;

3. Insufficient information of archaeology at the site; and
 4. Lack of a completed s106 agreement to secure planning obligations.
- 1.3 The site is within the Letchworth Garden City Conservation Area. The site relates to all of Character Area no.8, which was added in 1990.
- 1.4 There was a request for a Screening Opinion under Environmental Impact Assessment regulations in 2022 (ref. 22/03060/SO) for up to 190 dwellings. Officers determined that the proposals would not be thought to give rise to 'significant impacts' and so would not require an Environmental Impact Assessment and Environmental Statement to accompany the application. This application is for a fewer number of homes and so covered by the previous opinion.

2.0 **Policies**

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

Adopted 8th November 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 HS5: Accessible and adaptable housing

Policy D1: Sustainable design

Policy D3: Protecting living conditions

Policy D4: Air quality

Policy HC1: Community facilities

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 HE1: Designated heritage assets

Policy HE4: Archaeology

2.2 **Supplementary Planning Documents**

Design SPD

Developer Contributions SPD 2023

Vehicle Parking Provision at New Development SPD (2011)

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

Section 2: Achieving sustainable development

Section 5: Delivering a sufficient supply of homes

Section 6: Building a strong competitive economy

Section 8: Promoting healthy and safe communities

Section 9: Promoting sustainable transport

Section 11: Making effective use of land

Section 12: Achieving well-designed places

Section 13: Protecting Green Belt land

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

Section 15: Conserving and enhancing the natural environment

Section 16: Conserving and enhancing the historic environment

2.4 **Hertfordshire County Council**

Local Transport Plan (LTP4 – adopted May 2018)

Hertfordshire Waste Core Strategy and Development Management Policies

Development Plan Document 2012

2.5 **National Planning Practice Guidance**

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

3.0 **Representations**

Technical Consultees

- 3.1 **Place Services: Heritage Advice** – Following re-consultation on amended plans, heritage advice was sought from Place Services due to in house resourcing. Initially, no objection in principle to the demolition of the bungalows, although regrettable, the applicant has demonstrated the buildings are at the end of their life. Recommend Design Review Panel as well as input from Urban Design to further refine design to better reflect garden city principles. Place Services concludes that heritage significance is derived from the vast size of the Conservation Area, its multiple and distinct areas covering a range of land uses, purposes and periods. The proposals relate to the demolition of all buildings within one Character Area – Campfield Way, which was added to the Conservation Area in 1990. This Sub-Area is distinctive and contributes to the Conservation Areas significance as a later phase, following a *'block plan and layout comparable to sections of the original masterplan, but incorporating a unique building type of the period. The Campfield Way Character Area also contributes to the Conservation Area due to its historic interest as a post-war phase of development, and architecturally as an example of the innovation of the period'*. Overall, Place Services conclude that the Character Area contributes positively to the historic and architectural special interest of the Conservation Area, and that the proposals will result in a high level of 'less than substantial harm'. It is the responsibility of the Local Planning Authority to assess whether the public benefits outweigh the harm in accordance with para.215 of the NPPF whilst applying the general

duty to give special consideration to the 'desirability of preserving and enhancing the character and appearance of that area' under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. Recommendation, if granting permission to impose conditions relating to historic building recording scheme and a 'heritage interpretation strategy' with the LGC Heritage Foundation and Garden City Museum.

- 3.2 **NHDC Urban Design Officer** – No objection. Initially recommended that the proposals are seen for a second time by Design South East due to concerns relating to the scale of Building R along Icknield Way, various layout matters and the design of the architectural details. Since the resubmission of amended plans, further comments were made in relation to the layout and access of back gardens in terraced properties. The applicant submitted amended plans have addressed these comments from Design South East.
- 3.3 **NHDC Waste and Recycling** – Further information was requested on vehicle tracking. No further response was received on the additional information.
- 3.4 **NHDC Environmental Health (Contaminated Land)** – No objection, subject to a condition for a further phase 2 investigation report.
- 3.5 **NHDC Environmental Health (Air Quality)** – No Objection, subject to a condition and informative for Electric Vehicle charging.
- 3.6 **NHDC Environmental Health (Noise)** – No objection, subject to a condition for a scheme for proposed dwellings from transport noise.
- 3.7 **NHDC Housing Development Officer** – No objection. Officers support the proposals, which exceed policy requirements for affordable housing. The proposals meet local housing need generally including the needs of families requiring two-bedroom homes and a growing number of households requiring M4(3) wheelchair standard accommodation.
- 3.8 **NHDC Greenspace Manager** – No objection, subject to stewardship arrangements of greenspaces where it is currently maintained by the Council but could pass to Settle as with other similar sites in Letchworth. Request to review the need for play areas.
- 3.9 **NHDC Ecology** – No objection. Initial preference for on-site BNG, especially within the public realm. Following re-consultation on amended plan, it is acknowledged that there is no ecological objection to the proposals, noting that the development will deliver 10% BNG through on site habitat creation and the addition of off-site units, using land that the applicant (Settle) owns in the local area. Note that the PEA does not take account for recommendations of the External Lighting Report regarding limits on luminaire less than 2700k and low level lighting. A condition is recommended to address this matter.
- 3.10 **NHDC Leisure** – No comments received.
- 3.11 **HCC Highways** – No objection subject to conditions. Concern over construction phase and access to the footbridge. Footbridge part of the Letchworth greenway and maintained by Hertfordshire highways but is not a registered Right of Way.
- 3.12 **HCC Growth and Infrastructure** – No objection, subject to contributions towards services and infrastructure.

- 3.13 **Lead Local Flood Authority (LLFA)** – No objection following submission of additional information, subject to conditions.
- 3.14 **HCC Historic Environment (Archaeology)** – Comments initially regarding the need for pre-determination trial trenching. WSI agreed with Archaeology during the course of the application which has now been undertaken. Archaeology now raises no objection subject to further archaeological investigations post determination.
- 3.15 **HCC Minerals and Waste** – No objection, subject to condition for a Site Waste Management Plan.
- 3.16 **HCC Fire and Rescue Services** – No response received.
- 3.17 **HCC Water Officer** – No objection, subject to condition for a fire hydrant.
- 3.18 **HCC Countryside and Rights of Way Officer** – No response received. See Highway Authority comments.
- 3.19 **Environment Agency** – No response received.
- 3.20 **Historic England** – No objection. Initially comments recommended a review of Block R fronting Icknield way and review of the scheme from NHC Conservation and Urban Design Officers. Following re-consultation the amendments are welcomed. Further suggestions were made and discussed with the NHC Urban Designer. Recommendation for conditions including a survey of all existing bungalows prior to demolition as a record of this period in the history of the Garden City and an appropriate interpretation scheme is discussed and agreed with Conservation Officer and LGCHF.
- 3.21 **National Highways** – No objection, subject to condition for a Construction Traffic Management Plan.
- 3.22 **NHS Clinical Commissioning Group** – No response received initially. On re-consultation, no objection subject to contributions toward local GP services.
- 3.23 **Herts Constabulary (Crime Prevention Design Advisor)** – No response received.
- 3.24 **Active Travel England** – No objection, subject to standing advice.
- 3.25 **Sport England** – No objection. Reference made to NPPF Section 8 on promoting healthy communities; PPG Health and Wellbeing section; and Sports England Active Design Guidance.
- 3.26 **Thames Water** – No objection, subject to informative regarding build over agreement.
- 3.27 **Affinity Water** – No comments.

- 3.28 **Anglian Water** – No objection to wastewater treatment, used water network, subject to informatives, and surface water disposal, subject to securing plan no. FRA 11895 Dec 2024 18/12/24/11895/1101 Rev P9 as an approved plan.
- 3.29 **Network Rail** – No objection, subject to informatives about working close to the railway.
- 3.30 **National Grid (Asset Protection Team)** – No response received.
- 3.31 **National Gas** – No objection, as there are no National Gas assets affected in the area.
- 3.32 **Letchworth Garden City Heritage Foundation** – No objection. Supports the principle of replacement of the site due to age and condition of existing buildings. Support for delivery of housing, especially affordable, provision of a sufficient quantum that is viable and deliverable; preservation of the Greenway; and the need to provide a design, scale and massing respectful of its Garden City setting. Considered previous layouts to be an overdevelopment but believes the changes made in the application are a good balance. Support for contemporary design, focal points. Noted garden sizes below standard but balanced with ‘useable public open space’.

Resident and Neighbour Residents

- 3.33 The application has been advertised via 430 neighbour notification letters, the display of several site notices and a press notice. At the time of finalising this report, there had been two periods of consultation on this application with residents at the site and neighbouring it. The applicant has also undertaken their own extensive public consultation with residents while working on the proposals. Representations have been received from current residents of the estate, as well as some former residents and other residents in the area. Overall, 19 comments have been received including 9 objections, 6 in support and 4 neutral comments.
- 3.34 The objections and the issues raised by residents are summarised as follows:
- Loss of unique and historic buildings, which have retained their original form, materials and appearance
 - Loss of the bungalows which are historically and culturally significant for residents of Letchworth
 - Concern that people will be losing their homes
 - Suggestion that the buildings should be listed, and proposal to retain one bungalow for historic preservation either on site or off site
 - Buildings should have received better maintenance and if they had would not require replacement now
 - Consideration that residents who move out for redevelopment will not move back and that existing residents will not be offered the same standard of accommodation as before on the new site, with particular reference to garden space
 - Concern that the proposals will detract from the town’s character as an over development of the site and not accord with the Garden City principles
 - Not enough green space provided on site
 - Poor design of proposed new buildings, particularly the blocks of flats

- Concern over the closing up of one of the two existing accesses for safety of residents where the vehicular access is reduced and the number of homes increased
- Concern about access to the site by emergency vehicles
- Concern from local Head Teachers regarding the closure of the footbridge during the construction period which would cause timetable problems for students who walk between school sites during the school day
- Lack of services and infrastructure to provide for increase in number of new homes (doctors, dentists)
- Consideration should be given to ecology including existing animals within the site and suggestion that there should be a pond on site, use of bee bricks, bat and bird (inc. swift) boxes and hedgehog homes and highways to support wildlife
- Consideration should be given to retention of existing mature trees, and re-planting mature trees rather than saplings, as new landscaping and small trees cannot support wildlife like mature trees can
- Consideration that increasing the population will increase anti-social behaviour, which is an increasing problem in the area

3.35 Comments in support include:

- The bungalows are not fit for purpose with many comments relating to the poor standard of the buildings (such as damp, mould and leaks)
- It is an opportunity to provide better insulated and energy efficient homes, which are expensive to heat in the winter
- Recognition of the prohibitive cost required to refurbish the existing bungalows
- Support for the redevelopment to provide a wider range of types of homes to suit different needs
- Support for the community led approach taken as well as priority for environmental sustainability
- Support for provision of well thought out greenspaces within the redevelopment and reflection of Letchworth Garden City principles
- Recognition of the anti-social behaviour problem in the area caused by the increasing vacancy rate of homes within the application site and that the redevelopment will result in a better designed layout with 'passive surveillance' including around the entrance to the footbridge

3.36 There was much less feedback from the second round of public consultation, but those who did respond reiterated many of the previous comments, which are all included in the above summary.

4.0 **Planning Considerations**

Site and Surroundings

4.1 The site is located on the western side of Letchworth Garden City, within the urban area but adjacent to the Green Belt boundary. The site is north of and adjacent to the railway line, and to the east of Fearnhill Secondary School with its playing fields along the southern boundary. Icknield Way forms the northern boundary of the site and Martin Way to the east, with associated residential areas.

- 4.2 The application site is about 4.6 hectares, and comprises Campfield Way and Highover Road, including all residential properties and are entirely within the Conservation Area. Existing maisonettes along Icknield Way (odd nos. 51-75) are also included within the application site, which are within the ownership of the applicant, but are not within the Conservation Area. There are 30 buildings which make up 60 bungalows on Campfield Way and Highover Road, and another 7 two storey buildings comprising 28 homes on Icknield Way.
- 4.3 There are two vehicular accesses to the site from Icknield Way: Campfield Way that joins Highover Road; and Highover Road that leads to the footbridge over the railway line to Chiltern View and also provides access to Martin Way. There is a substation on grass verge to the east of the access at Highover Road. The footbridge over the railway line forms part of the Letchworth Greenway and it is owned and maintained by Hertfordshire County Council Highways.
- 4.4 In terms of landscaping, there are many mature trees on the site, given the residential development here is over 70 years old, but which is associated with private gardens and street trees. The area is characterised by wide grass verges and with a built form pattern reflective of the garden city principles.

Proposal

- 4.5 This is a full planning application for the redevelopment of the site comprising demolition of all existing buildings and provision of 157 new dwellings with associated roads, landscaping, open space, car and cycle parking, drainage and infrastructure works, and all associated ancillary works.
- 4.6 The proposals were amended following Design Panel Chair's Review advice received in July 2024. The applicant has revised the buildings along Icknield Way in scale, massing and design; revised the strategy and design of balconies across the site; made changes to the layout of buildings and routes at the southern end of the site to improve the relationship with the footbridge; as well as other minor changes to improve design.
- 4.7 The planning application has also been updated to address comments from statutory consultees with the submission of amended technical work to support the proposals.
- 4.8 In terms of housing numbers, the proposals involve the loss of 88 residential dwellings and the gain of 157 new dwellings, with a net gain of 69 units as per the table below:

	Existing	Proposed
One bed flat	24	40
Two bed flat	4	57
Three bed flat	5	1
Two bed house	0	34
Three bed house	55	20
Four+ bed house	0	5
	88 of which 92% is affordable (8% is market housing)	157 of which 100% is affordable – minimum of 53% will be for social rent; and 47% will be intermediate tenure

4.9 The 60 Hawksley three-bedroom semi-detached bungalows, which comprise 30 buildings, are within the Letchworth Conservation Area. The properties 49-75 Icknield Way are within the application site, and not within the Conservation Area. All buildings would be demolished as part of the plans.

4.10 The application is supported by the following plans:

- Location Plan CW-RTA-XX-XX-DR-A-00001
- Existing site Plan CW-RTA-XX-XX-DR-A-00002
- Existing site Plan with constraints CW-RTA-XX-XX-DR-A-00003
- Existing Legal Ownership Plan CW-RTA-XX-XX-DR-A-00012-
- Existing site open spaces plan CW-RTA-XX-XX-DR-A-00013
- Existing Bungalows-Elevations Sections & Plans CW-RTA-XX-XX-DR-A-00020-
- Existing Site Wide Elevations CW-RTA-XX-XX-DR-A-00030
- Existing Site Wide Elevations CW-RTA-XX-XX-DR-A-00031
- Bungalows Highover East & West Elevations CW-RTA-XX-XX-DR-A-00032
- Existing Site Wide Elevations – Flat Icknield Way CW-RTA-XX-XX-DR-A-00033-
- Proposed Location Plan CW-RTA-XX-XX-DR-A-00100
- Proposed Site Plan CW-RTA-XX-XX-DR-A-00101 PL13
- Topographic CW-RTA-XX-XX-DR-A 00102
- Constraints CW-RTA-XX-XX-DR-A 00103
- Garden City Design Principle Overlay CW-RTA-XX-XX-DR-A-00104
- Building Types Plan CW-RTA-XX-XX-DR-A 00112 PL07
- Building Heights Plan CW-RTA-XX-XX-DR-A-00113 PL07
- Parking Strategy CW-RTA-XX-XX-DR-A-00114 PL07
- Amenity Strategy CW-RTA-XX-XX-DR-A-00115 PL07
- Refuse Strategy CW-RTA-XX-XX-DR-A-00116 PL07
- Fire Strategy CW-RTA-XX-XX-DR-A-00117 PL07
- Existing site levels CW-RTA-XX-XX-DR-A-00118 PL03
- Proposed Site Management Plan CW-RTA-XX-XX-DR-A-00119 PL03
- Phasing Strategy CW-RTA-XX-XX-DR-A-00120 PL03
- Hard & Soft Landscape Strategy CW-RTA-XX-XX-DR-A-00121, CW-RTA-XX-XX-DR-A-00122 and CW-RTA-XX-XX-DR-A-00123
- Character Areas - The Avenues CW-RTA-XX-XX-DR-A 00130 PL07
- Character Areas - The Lanes CW-RTA-XX-XX-DR-A-00131 PL07
- Campfield East and West Elevations CW-RTA-XX-XX-DR-A-00141 PL07
- Campfield North and South Elevations CW-RTA-XX-XX-DR-A 00142 PL04
- Campfield 'Accent' E&W Elevations CW-RTA-XX-XX-DR-A-00143
- Campfield 'Footpath' N&S Elevations CW-RTA-XX-XX-DR-A-00144 PL04
- Highover East and West Elevations CW-RTA-XX-XX-DR-A-00145
- Highover North and South Elevations CW-RTA-XX-XX-DR-A-00146
- 'Accent' North and South Elevations CW-RTA-XX-XX-DR-A-00147
- Highover East and West Elevations (Bungalows) CW-RTA-XX-XX-DR-A-00148
- Proposed Site Wide Elevations- Icknield Way CW-RTA-XX-XX-DR-A-00149
- Visualization Axonometric View 1 CW-RTA-XX-XX-DR-A-00161
- Visualization Axonometric View 2 CW-RTA-XX-XX-DR-A-00162
- Construction phasing CW-RTA-XX-XX-DR-A-00180
- Bldg A - Ground, First Floor and Roof Plans CW-RTA-XX-XX-DR-A-00210-

- Bldg A - North and East Elevations and Section CW-RTA-XX-XX-DR-A-00212-
- Bldg A - Southeast and West Elevations and Section CW-RTA-XX-XX-DR-A-00213-
- Bldg F - Ground and First Floor Plans CW-RTA-XX-XX-DR-A-00220
- Bldg F - Second Floor and Roof Plans CW-RTA-XX-XX-DR-A-00221
- Bldg F - South & West Elevations and Sections CW-RTA-XX-XX-DR-A-00222
- Bldg F - North & East Elevations and Sections CW-RTA-XX-XX-DR-A-00223
- Bldg J - Ground, First Floor and Roof Plans CW-RTA-XX-XX-DR-A-00230
- Bldg J - South & Northeast Elevations and Sections CW-RTA-XX-XX-DR-A-00231
- Bldg J - North & West Elevations and Sections CW-RTA-XX-XX-DR-A-00232
- Bldg Type H,L Ground, First Floor & Roof Plans CW-RTA-XX-XX-DR-A-00240
- Bldg Type H,L Street, Elevations and Sections CW-RTA-XX-XX-DR-A-00241-
- Bldg Type H,L Courtyard, Elevations and Sections CW-RTA-XX-XX-DR-A-00242
- Bldg P - Ground, First Floor & Roof Plans-.pdf CW-RTA-XX-XX-DR-A-00243
- Bldg P - Elevations CW-RTA-XX-XX-DR-A-00244
- Bldg Q - Ground, First Floor Plans CW-RTA-XX-XX-DR-A-00250
- Bldg Q - Second floor and Roof Plans CW-RTA-XX-XX-DR-A-00251
- Bldg Q - North & East Elevations and Sections CW-RTA-XX-XX-DR-A-00252 P11
- Bldg Q - South & West Elevations and Sections CW-RTA-XX-XX-DR-A-00253
- Bldg R - Ground Floor Plan & First Floor Plan CW-RTA-XX-XX-DR-A-00260
- Bldg R - Second Floor & Roof Plan CW-RTA-XX-XX-DR-A-00261
- Bldg R - North & East Elevations and Sections CW-RTA-XX-XX-DR-A-00262 P11
- Bldg R - South & West Elevations and Sections CW-RTA-XX-XX-DR-A-00263
- Bldg S - Plans, CW-RTA-XX-XX-DR-A-00270
- Bldg S - Elevations and Sections CW-RTA-XX-XX-DR-A-00271
- Bungalow Type B6 CW-RTA-XX-XX-DR-A-00280
- Bungalow Type B7 CW-RTA-XX-XX-DR-A-00281
- Bungalow Type B8 CW-RTA-XX-XX-DR-A-00282
- Bungalow Type B9 CW-RTA-XX-XX-DR-A-00283
- House Type HH CW-RTA-XX-XX-DR-A-00285
- Terrace T1 HB,HD CW-RTA-XX-XX-DR-A-00290
- Terrace T2 HB,HA,HD CW-RTA-XX-XX-DR-A-00291 P11
- Terrace T3 HE,HE CW-RTA-XX-XX-DR-A-00292
- Terrace T4 HC1,HC2,HC1 CW-RTA-XX-XX-DR-A-00293 PL10
- Terrace T5 HG,HF CW-RTA-XX-XX-DR-A-00294
- Terrace T6 HG,HG CW-RTA-XX-XX-DR-A-00295
- Terrace T7 B1,B2,B3 CW-RTA-XX-XX-DR-A-00296
- Terrace T7 B1,B2,B3 sections CW-RTA-XX-XX-DR-A-00297
- Terrace T8 B4,B5 CW-RTA-XX-XX-DR-A-00298
- Bins and Substations CW-RTA-XX-XX-DR-A-00299
- Terrace T9 HA,HD CW-RTA-XX-XX-DR-A-00299
- Ancillary Bins and Substations 1 CW-RTA-XX-XX-DR-A-00310
- Ancillary Bins and Substations 2 CW-RTA-XX-XX-DR-A-00311 PL02
- Appearance 1 of 3 CW-RTA-XX-XX-DR-A-00300
- Appearance 2 of 3 CW-RTA-XX-XX-DR-A-00301
- Appearance 3 of 3 CW-RTA-XX-XX-DR-A-00302
- Appearance Details 9-16 CW-RTA-XX-XX-DR-A-00303
- Material Strategy CW-RTA-XX-XX-DR-A-00305
- Landscape Masterplan LOV23738 10I M

- Soft Landscape Proposals LOV23738 11 K-Sheet 1-6 revs S, and Whole Site S
- Hard Landscape Proposals LOV23738 12 G-Sheets 1-6 ACD revs J
- Proposed External Lighting 220113-ZZ-ZZ-DR-E-21001_S3_P12
- Overland flow plan 11895_1104 GTA Civils Rev 5
- Site Levels 11895_1102 GTA Civils Rev 9
- Drainage strategy 11895_1101 GTA Civils Rev 10
- Phase 1 Drainage Strategy 11895_1103_P5 GTA Civils

4.11 The application is also supported by the following technical work:

- Planning Statement including, Affordable Housing Statement and Heads of Terms Sphere25
- Statement of Community Involvement & Appendices A-K settle 05 Jan 2024
- Design and Access Statement Rev E
- Schedule of Accommodation RT21035 RevY
- SP9 Masterplan
- Character Assessment
- Context Appraisal
- Preliminary Ecological Appraisal 552033Sep22ltFV02_PEA Greengage
- Great Crested Newts survey 552033ltOct22FV02_GCN Greengage
- Reptiles Survey 552033ltOct22FV02_Reptiles Greengage
- Biodiversity Impact Assessment 552033 Greengage May25
- Biodiversity Metric 25.01.24 Greengage
- BS5837 Arboricultural Impact Assessment FV03_AIA Greengage
- Townscape and Visual Appraisal HCUK V6
- Soft Landscape Specification LOV23738 spec A ACD
- Soft Landscape Management And Maintenance Plan LOV23738 man A ACD
- Flood Risk Assessment 11895_FRA2_Hawkley Bungalows, Letchworth GTA Civils
- Phase 1 Desk Study & Phase 2 Site Investigation Report LP3053 Issue 4 LEAP
- Archaeological Desk-Based Assessment 2024.01.29 Campfield Way DBA Finalv4.1
- Written Scheme of Investigation Phase 1
- Heritage Impact Statement & Appendices 2024.01.28
- Transport Assessment 1022.0002TA5 Paul Basham Associates TA9
- Green Travel Plan 1022.0002TP5 Paul Basham Associates
- Noise Assessment P2076-REP02-DJR REV05 SOL acoustics REV 09
- Structural Condition Survey W1987_R001_P4
- Daylight Sunlight Report 5259 - Rev 3 T16 REV 5
- Refurbishment Costs Report part 1 & Part 2 10438 H John Rowan and Partners
- External Lighting Report Couch Perry Wilkes P05
- Air Quality Assessment PRO-087125 Hawksley Bungalows AQA Rev4 Stroma 5.4
- Sustainability Statement 220113 Rev P05 Couch Perry Wilkes
- Sustainability Statement Appendix 1 SAP Output worksheet B3 Couch Perry Wilkes
- SAP Output worksheets HA (1)-(3); J1 APPT 01(GF) 02(GF) 03(FF) 04(FF); J2 APPT 01(GF) 02(GF) 03(GF) 04(FF) 05(FF) 06(FF)
- Construction Traffic & Environmental Management Plan Rev C with appendices by Lovell

Legal basis of determining the Planning application

- 4.12 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:
- 4.13 *'if regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise'*.

5.0 Key Issues

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

- a. Policy background and Housing
- b. Masterplanning and Design
- c. Impact of the development on heritage assets including archaeology
- d. Impact of the development on residential amenity
- e. Impact of the local highway network, access and parking
- f. Flood risk and drainage
- g. Ecology considerations
- h. Impact on trees and greenspace considerations
- i. Environmental health considerations
- j. Primary Healthcare
- k. Sustainability assessment
- l. Planning obligations
- m. Planning balance

5.2 Policy background and Housing

- 5.2.1 The North Hertfordshire Local Plan 2011-2031 (NHLP) was adopted by the Council in November 2022.
- 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 Policy SP2 identifies a significant housing need in the district which is for *'at least 13,000 new homes'* over the plan period. Letchworth is planned to accommodate around 2,000 in total between this Strategic Housing Site, other smaller site allocations for housing, sites within the existing urban area and any other 'windfall sites'.
- 5.2.4 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.

- 5.2.5 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'*.
- 5.2.6 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'.
- 5.2.7 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 full application for the site as a whole.
- 5.2.8 The site density would increase as a result of the proposals from a very low 19 dwellings per hectare, to a more average 34 dwellings per hectare. The site is not allocated through the NHLP but is within the urban area and would be considered as windfall. The NPPF 2024 requires planning decisions to '*support development that make efficient use of land*' (para. 129) taking into account the '*need for different types of housing*', '*local market conditions and viability*', '*capacity of infrastructure*', '*the prevailing character and setting or of promoting regeneration*', and '*importance of securing well designed, attractive and healthy places*'.
- 5.2.9 The proposed development would result in a net gain of 69 dwellings and be 100% affordable due to the applicant and landowner being Settle, a local registered housing provider. The proposal involves the demolition of 81 affordable and 7 market units (total 88 units), and the construction of a total of 157 homes. The 100% affordable housing development would comprise 80 social rented units and 77 intermediate tenure (shared ownership/equity share) units. Of the total, 17 units (11% of the total) will be delivered as M4(3) compliant, and 56% will be either M(4)2 or M(4)2* compliant, which exceed the requirements of NHLP Policy HS5. It is noted that 56 units have been allocated to existing residents on the site, who will return when the development is complete. There will be 15 units that are bungalows, 44 houses and 98 flats. The mix is comprised of 45no. one bed units; 87no. two bed units; 20no. three bed units; 4 four bed units; and 1no. five bed unit. The housing mix and tenure is supported by the Housing Strategy Team within NHDC, which exceeds requirements of Policy HS2 on Affordable Housing in terms of quantum and tenure requirements.

- 5.2.10 The Local Plan is adopted, and the site is within the urban area of Letchworth. The site will make a positive contribution of an additional 69 units to the delivery of homes in North Hertfordshire for the rest of the Plan period and significant benefits from being 100% affordable housing. The quality of housing provided on site, and the range of housing types will also be significantly improved as a result of the development, where the site is currently dominated by three-bedroom Hawksley bungalows that are beyond their expected lifespan.
- 5.2.11 The proposed redevelopment of the site is therefore in accordance with NHLP Policies SP1, SP2, SP5 and SP9. This matter of housing delivery comprising provision of a total of 157 homes that would be affordable, representing a net increase of 69 homes, weighs very significantly in favour of the proposal in the planning balance.

5.3 Masterplanning and Design

- 5.3.1 NHLP Policy SP9 allows for masterplans to be produced for '*significant development*', which '*generally comprises residential development of 100 dwellings or more. Exceptionally, developments under 100 dwellings will be considered significant if there are site specific complexities and sensitivities that require a masterplan-led approach*'. Given the overall scale of the development of 157 units, the applicant has been working through pre-application discussions, to produce an acceptable Masterplan in accordance with Policy SP9. The detailed requirements of these policies will be assessed in the following sections of this report. The applicant has therefore worked with the Council to address its requirements as part of pre-application discussion and formal design review, as well as through this application.
- 5.3.2 As this site and the proposed development has been through a Masterplanning exercise with extensive negotiations and improvements over the last few years. The applicant has used pre-application procedures as well as design review, and discussions on the current planning application to refine their masterplan, which the detail of this application is built on. It is officers' view that the proposals represent a high standard of urban design, in keeping with its location, affordable housing aspirations and sensitive historical context.
- 5.3.3 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 historic setting, the site history and adjacent residential development.
 - 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 site benefits from forming part of the existing urban area and is already connected into well integrated, accessible and sustainable transport systems. The site is just less than 1 mile from Letchworth railway station, or 1km as the crow flies, and 0.8 miles to Morrisons, making the town centre quite achievable by foot and bike. There are also existing bus stops on Icknield Way, which is within 400m of all parts of the application site. The site is also adjacent to the railway line, where there is an existing footbridge connecting the northern and southern halves of Letchworth. The footbridge forms part of

the Letchworth Greenway loop around the town and provides several options for connectivity depending on the destination. The site is well connected to a range of attractive forms of transport.

- 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 street, with foot and cycle paths connecting the site to the surrounding areas. This defines 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 site is already in a sustainable, walkable and locally accessible to Letchworth town centre, the railway station and schools. The development will not be mixed use, due to its scale, there would be a good housing mix and mix of tenures between social and intermediate tenures 53% to 47% respectively.

- 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, as it does at present. The site benefits from existing links onto Icknield Way, Martin Way and the footbridge to Chiltern View. These accesses and links will be retained and enhanced. The Campfield Way vehicular access will be removed, as it is not necessary from a highway perspective for this scale of development, but the entrance will be retained for foot and cycle links.

- 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*

The proposals deliver biodiversity net gain provision and will provide on-site publicly accessible greenspace, which will improve the existing situation. The proposed public and green spaces on site will deliver high quality public realm and landscaping which will support social interaction for all residents.

- vii. *ensure the effective use of sustainable urban drainage and sustainable water management;*

The site has provided 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.

- viii. *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 delivers biodiversity net gain provision and protects an existing valuable source of biodiversity and habitat on site including trees around the perimeter. Other existing landscaping comprises rear garden, highway grass verge and a hedge/tree line to properties that front onto Icknield Way; all of which will be removed as part of the

proposals. It is unfortunate to have to remove the hedge/tree line, although it was a significant restriction to redevelopment and not the best quality landscaping. The proposed public and green spaces on site will deliver high quality and attractive public realm which will support sustainable drainage, good urban design and social interaction for all residents.

ix. design to last with a clear stewardship, management and maintenance strategy.

The greenspaces and SUDS on this site will be managed by the freeholder, which is a registered housing provider; Settle. Settle is an established landowner in Letchworth and the wider area who manage other areas of greenspace. The management of greenspaces, and other types of public realm on the site will be robustly secured through the s106 legal agreement.

- 5.3.4 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. This matter weighs as a benefit significantly in the planning balance.

5.4 Impact of the development on heritage assets including archaeology

- 5.4.1 Section 66 (1) of The Planning (Listed Building and Conservation Area) Act 1990 (the LBCA Act) stipulates that when considering whether to grant planning permission for development which affects a listed building, or its setting, special regard shall be had to the desirability of preserving the building or its setting or any features of special architectural interest which it possesses. Effect upon listed buildings therefore should be given considerable importance and weight. Relevant factors include the extent of assessed harm and the heritage value of the heritage asset in question.
- 5.4.2 Paragraph 194 of the NPPF states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution to their setting and where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation. Paragraph 195 of the NPPF confirms that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting their setting) taking account of the available evidence and any necessary expertise.
- 5.4.3 NHLP Policy SP13 confirms that the Council will balance the need for growth with the proper protection and enhancement of the historic environment. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight will be given to the asset’s conservation and the management of its setting. Regarding designated heritage assets, NHLP Policy HE1 stipulates that planning permission for development proposals affecting Designated Heritage Assets or their setting will be granted where they will, amongst other things, lead to less than substantial harm to the significance of the designated heritage asset and this harm will be outweighed by the public benefits of the development, including securing the asset’s optimum viable use.

- 5.4.4 The NPPF 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. 212 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 is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'*. This approach is reflected in NHLP Policy HE1 on Designated Heritage Assets.
- 5.4.5 The application is supported by a Heritage Impact Statement (dated January 2024 by HCUK) with appendices and was followed by with an addendum when the plans were amended (dated November 2024). This considers the impact of the proposed development on the Conservation Area as the only affected heritage asset.

Significance

- 5.4.6 The site forms part of the Letchworth Conservation Area, which was designated in 1974, and the site comprises character area 8 in its entirety; an area which was added in 2001 to reflect the areas contribution to the development of Letchworth. The character area comprises entirely of Hawksley bungalows, a form of pre-fabricated homes which were constructed post war as part of a 'temporary housing programme' to provide new homes for families after the second World War. There are anecdotes of residents who have lived in these bungalows since they were built and so the site has played an important social role in Letchworth.
- 5.4.7 The bungalows were installed around 1950-1951 on Campfield Way and Highover Road in a layout reflecting the principles of the garden city, which can be seen in the areas of greenspace across the site, the undulating building line, the diagonal positioning of buildings around corners, and spacing of buildings. The buildings as a group have value and comprise an entire character area if the conservation Area.
- 5.4.8 The original Campfield Way and Highover Road development was constructed between the existing buildings at 49-75 Icknield Way (which are included in the application site) and the railway line. The heritage statement submitted with the application notes the difference of this site compared to other areas of Letchworth Garden City that the properties on this site were not provided with defined private front garden areas. The applicant also notes that the by the time this site was constructed it was good and common planning practice to build new homes with similar garden city principles, such as development that can be seen around Mullway. Hallmead, Monksland and Bursland, all roads which are not included in the Conservation Area and built before Campfield Way and Highover Road. The applicant argues that the significance of this character area of the Conservation Area does not adhere to the same early garden city principles that apply to the rest of the Conservation Area.
- 5.4.9 The historic fabric of the buildings was intended to be temporary and have now been in place for 75 years. The condition of many of the units has deteriorated because the type of construction. The buildings external materials (external cladding, roof, overall form and volume), as well as their planform and internal doors to some extent, remain as per the

original buildings. There have been many alterations across the site to external windows and doors, the sheds, kitchen, fireplaces, heating systems and internal décor. The buildings themselves are not designated and would not comply with the criteria for listing or as a non-designated heritage asset on an individual basis.

5.4.10 The Council sought heritage and conservation advice from Place Services on this application. Place Services summarises the significance as follows:

'The significance, character and appearance of Letchworth Garden City Conservation Area is varied, due to the sheer size of the Conservation Area which encompasses multiple, distinct, areas of planned housing estates, the town's commercial centre, the train station, schools and industrial areas. This variety and scale of the Conservation Area is highlighted by the fact that the Conservation Area is split into eight character areas, some of which fall into distinct phases such as the Campfield Way development, whilst others span the breadth of the town's history...

The significance of the Conservation Area as a whole is in how the application of Howard's philosophies have shaped the town's development from the early twentieth century to the present, including the masterplan designed by Parker and Unwin and its application in later phases of building. The Campfield Way Character Area contributes to this significance as one of these later phases that follows a block plan and layout comparable to sections of the original masterplan but incorporating a unique building type of the period. The Campfield Way Character Area also contributes to the Conservation Area due to its historic interest as a post-war phase of development, and architecturally as an example of the innovation of the period.'

Setting of the Conservation Area

5.4.11 The Heritage Statement identifies that the setting of the Letchworth Conservation Area is large, due to the scale of the conservation area itself; and that *'all conservation areas a difficult to 'experience' in totality'*, which may be especially true of Letchworth Conservation Area due to its scale and variety of character areas.

5.4.12 The applicant notes that the routes into the town and designated Conservation Area add to its setting. The application site sits to the south of Icknield Way, which is one main and historic route into the town, which is spacious and characterised by residential development and architecture, including areas of post war development representing the later expansion of Letchworth compared to the town centre.

5.4.13 As identified, part of the application site is beyond the Conservation Area, relating to a row of maisonettes along Icknield Way (no.s 47-75), between the entrances to Campfield Way and Highover Way and noting that 77 Icknield Way is excluded from the application site. The proposals directly affect the setting of the Conservation Area. As the application site will be a comprehensive redevelopment, the two types of development will be incorporated as one block of development and read as one site, although the conservation area boundary will no longer correspond to what is on the ground.

Harm to the Significance and Setting of the Conservation Area

- 5.4.14 Harm will arise to the significance of Letchworth Conservation Area and its setting, by virtue of the demolition of all buildings within Character Area 8 of the Conservation Area and comprehensive redevelopment of the character area and 47-75 Ickniel Way outside the Conservation Area. There is harm to the loss of this group of buildings as a temporary solution to the post war housing crisis.
- 5.4.15 However, the applicant has demonstrated that the existing buildings are no longer fit for purpose, due to the temporary nature of the existing housing, and the existing lack of variety in the housing mix.. Many of the existing buildings are in a poor state of repair, they are difficult to refurbish due to the materials used and eventually all will fail to be habitable, as some are at present. The applicant has demonstrated that the buildings are too expensive to refurbish. The site is currently about 50% occupied and the rest have been vacant for varying amounts of time; this has left the site looking neglected where properties are boarded up and residents have experienced antisocial behaviour and burglaries. It is clear that the site cannot stay as it is as present, and officers consider that the bungalows do need to be replaced.
- 5.4.16 Place Services and HCC Archaeology have recommended a condition, should the application be approved, for a historic building record to be made, and a scheme for interpretation boards to be included in the new development. Both conditions mitigate the loss of the existing buildings both individually and as a group, which is proportionate to the harm caused to significance. It is also recommended that permitted development rights are restricted for Classes A and C to ensure a considered approach to householder development on the site in the future. Class B is already not permitted for properties in Conservation Areas, and the proposed new buildings on this site that are not in the Conservation Area will be flats, which do not benefit from permitted development rights.

Conclusions

- 5.4.17 Overall, it is considered that the harm to the significance and setting of the Conservation Area would equate to be 'less than substantial' at the high end of the spectrum, which takes into account the applicants' statements, the review by Place Services on behalf of the Council, and Officer assessment. This view addresses the previous reason for refusal, where it was previously considered that it was not demonstrated that the bungalows were in poor condition. The balance with public benefits in accordance with the NPPF para. 202 will be considered in the planning balance section of the report.

Archaeology

- 5.4.18 The application site is not located within an Area of Archaeological Significance (AAS). Wilbury Hills to the east is an AAS approximately 100m to the north which contains a Schedule Ancient Monument: Two bowl barrows located 330m from the site boundary to the north-east.

- 5.4.19 NHLP Policy HE4 on Archaeology states that permission for development proposals affecting heritage assets with archaeological interest will be granted provided that: a. developers submit an appropriate desk-based assessment and, where justified, an archaeological field evaluation. Policy HE4 also states that *'Areas of as yet, unknown archaeology may be identified during research, or through the planning or plan making process. These sites or areas should be treated in the same way as archaeology areas and areas of archaeological significance'*. The NPPF para.212 sets out the same approach to sites of archaeological significance as other heritage assets, in that *'great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be)'*. Para. 216 also requires *'in weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'*
- 5.4.20 The site has been the subject of a desk-based assessment and pre-determination trial trenching investigations. This work identified archaeological features in several parts of the proposed development areas: A Late Iron Age/Romano-British farmstead was revealed in the southwestern part of the site, with finds including pottery, brick/tile, glass and animal bone. A trackway was also seen of a similar date as well as a series of sinuous ditches, indicating past land division and considered to constitute substantial archaeological features, which are of regional and local significance.
- 5.4.21 HCC Historic Environment have confirmed that they do not object to the proposals as the findings are unlikely to be so significant so as to warrant 'scheduling' and would not restrict the proposed development. However, further investigations would be required to analyse the findings and provide a report and publication of the results. Subsequently the applicant has been liaising with the County Archaeologist to agree the final Written Scheme of Investigation to commence that work should outline planning permission be granted. Nevertheless, the full condition is recommended and set out below, to ensure the WSI is fully agreed.
- 5.4.22 Overall, whilst there are significant finds on the site, as an undesignated heritage asset the action to investigate further and record the findings in a publication are proportionate and a balanced response to the scale of the harm and significance of the findings. The proposals are therefore in accordance with NPPF paragraph 199 and 203 and NHLP Policy HE4. This matter weighs as neutral in the planning balance.

5.5 Impact of the development on residential amenity

- 5.5.1 The impact of the proposals on existing residents has been considered, also in light of comments received throughout the consultation periods on the application.
- 5.5.2 NHLP Policy SP9 on Design and Sustainability requires the adoption of the national *'technical standards for the size of new homes...and, in specified circumstances, accessibility'*. The technical Housing Standards – Nationally Described Space Standard provides a set of internal space standards to be applied to all new dwellings and for all tenures. All proposed dwellings on the site comply with the space standards as a minimum, including storage areas, bedrooms, floor to ceiling heights of 2.3m and overall Gross Internal Floor Areas.

- 5.5.3 The Design SPD requires '*adequate provide space to meet the needs of occupants...the council encourages a mix of garden sizes*' and should have enough space for '*outdoor living requirements such as children's play, lawn/shrub area for leisure and recreation, recycling bins and storage facilities*'. Private amenity space is also provided for all dwellings including flats. Each garden for houses would be a minimum of 7m deep and the width depending on the width of the house, which for many of the bungalows is generous. The smallest garden for a house would be 63 sq.m for a two-bedroom house which exceed the requirements for garden space in the current Design SPD, and also in the emerging Design Code. Some gardens are larger or smaller according to the layout of the site and overall, a generous amount of garden space has been incorporated into the plans; all useable, regular shapes, and set to an appropriate size for each house.
- 5.5.4 For the flats within the site, balconies had been incorporated to provide some private amenity space for residents; this change was reflected on amended plans received during the course of the application. There was discussion during Design South East's Chairs' Review that the design of the balconies was not appropriate, and the Conservation Officer noted that balconies are not a feature of Letchworth. The applicant has since sought to review the purpose of the balconies as well as the function, orientation and design. In terms of amenity, the proposed balconies, justified on heritage and design grounds above, are intended to provide residents of flats with an element of private amenity space, which has been designed with some screening. The applicant has confirmed that the balconies are not intended to be used for storage, as an extension to the flat, or for hanging out washing, which can distract from the character and appearance of the place. The applicant, Settle, a registered housing provider and well established in Letchworth has confirmed in writing that they use 'neighbourly pacts' to ensure balconies are used for their intended purpose (this matter could be controlled within a S106 legal agreement). The balconies all measure 3sq.m and there would be useable communal green amenity space provided around the flats. The amount of balcony space proposed to be provided does not meet the standard in the emerging Design Code, although these plans were submitted well before the Design Code was published, but it should be noted that the communal amenity space around all the flats proposed on site would exceed the standard set out in the Design Code. This green space will be open and include some washing lines for residents to have outdoor space for that purpose.
- 5.5.5 In terms of overlooking and privacy of future residents, back-to-back distances of around 20m are achieved in the proposed layout between properties where that is the case. Back to side distances are shorter, which is acceptable as the potential for overlooking is significantly reduced. The distance is 12m between plots 21-31 and a common relationship for houses, and 16m between block R and block F which is acceptable. As such there is a recommendation to restrict permitted development rights to prevent encroachment from extensions and alterations (Class A and C) without proper assessment of residential amenity.
- 5.5.6 Overall, between compliance with space standards, sufficient private amenity space to both flats and houses through private gardens, communal gardens and private terraces and balconies, good back-to-back and back to side distances, Officers raise no objection to the proposed development on the basis of the impact on amenity for future residents, in accordance with NHLP Policy SP9, the Design SPD and the Technical Space Standards.

- 5.5.7 In terms of overlooking and privacy for neighbouring residents, the closest existing residential property is 77 Icknield Way, which is a detached house and would be an isolated plot on one corner retained within the block what will comprise the development site. New development in the form of a block of four flats (Block S) will be located side by side to no.77 and essentially replaces an existing building in a similar location, with an existing and proposed gap of about 8m. A new access road, parking and two substations are proposed directly behind no.77 and a new block of four flats (Block H) to the south. There is currently a 25m gap to the single storey bungalows no. 21 and 23, whereas the new Block H will be two storeys but 36m away. Whilst the view of no.77 will change, privacy will be respected without increased harm from overlooking from the proposed layout, distance and height of buildings.
- 5.5.8 There will be a direct relationship from the proposed development to residential properties located along Martin Way, which reflects the current pattern of built form. The gardens here back onto the application site and plots no. 98-108. No.2 Martin Way would be side on to the back of plot 99 with 14m, which is acceptable. Other back-to-back distances along this boundary will be between 19-30m, from 1.5 storeys on the application site to two storeys on Martin Way. It is acknowledged that this is a reduction of the existing situation where the back-to-back distances are about 36-45m. There is an existing substantial tree line along the boundary of the site which is to be retained and assists with landscaping and retaining privacy for all residents.
- 5.5.9 The northern boundary of the site is also opposite residential properties along Icknield Way (no.24-54). Both sides of the road benefits of generous front gardens about 10m deep. The proposals will result in a reduction of that but nevertheless, including the road there will be about 33m between the front elevation on Block R of the application site and residential properties on the north side of Icknield Way.
- 5.5.10 The construction phase is of concern to local residents in terms of construction traffic, noise and air pollution. Due to its scale the development will be completed in two phases, and whilst construction can be obtrusive to existing residents it is a temporary phase in the life of the development. The environmental impacts have been considered by the EHO and examined later in this report. On construction traffic, a draft Construction Traffic Management Plan is agreed with the Highway Authority and will be secured by condition should the application be approved planning permission, to manage that phase and limit the impact on the highway network and existing residents.
- 5.5.11 On that basis the proposals are considered to be in accordance with the NHLP Policies SP9 and the Design SPD. This matter weighs as neutral in the planning balance.

5.6 Impact on the local highway network, access and parking

Impact on local highway network

- 5.6.1 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...'

- 5.6.2 Paragraph 110 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: 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.'* The NPPF also sets a high bar in terms of grounds to refuse an application on highway matters: Para 111 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 would be severe'*.
- 5.6.3 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'*.
- 5.6.4 This planning application has been submitted with a Transport Assessment (TA) which was updated in May 2025 and prepared by Paul Balsham Associates Ltd.
- 5.6.5 The proposed site would replace two vehicular access points (at Campfield Way an Highover Road leading onto Icknield Way) with one access onto Icknield Way, where Highover Road is currently located. There would be access into the site, using road surfacing and widths to manage movement and connectivity. Access will be maintained to Martin Way. The Campfield Way access will be retained as an active travel access only. Access to the footbridge will also be retained in the long term, although there will be limited access during construction.
- 5.6.6 In terms of impact on highway capacity, the vehicular trip rates were sourced from the industry standard TRICS database. The associated peak hour trip rates are indicated in the Transport Assessment (TA). This anticipates that the site would generate a total number of trips (arrivals and departures) in the AM peak travelling period (08:00-09:00) to be 49 and would generate approximately 75 trips during the PM peak travelling period (17:00-18:00), which compared to 28 trips in the AM and 42 trips in the PM peaks, and so the net increase would be 21 and 33 trips respectively.
- 5.6.7 HCC Highway Officers conclude on trip generation and highway impact: *'HCC has crosschecked the trip analysis by using the TRICS with similar site and concludes that the above projected non-car trips are satisfactory and will be acceptable. In view of the estimated trip assessments and junction capacity appraisals, the Highway Authority is satisfied that that the development will not result in a detrimental impact to the operational capacity of the local road network in all scenarios'*. Therefore, the impact of the proposals would be acceptable and in accordance with the requirements of the NPPF and NHLP Policy T1.
- 5.6.8 Highway Officers note that full details of the accesses will be required by way of S278 and S38, Stopping up and Traffic Regulation Orders (S247). There are different legal ways to secure this and will be subject to detailed discussions during the drafting of the S106.
- 5.6.9 It should also be noted that an updated Travel Plan will be needed to be submitted for approval taking into account the comments in the Highover Officers comments, and a travel plan monitoring fee should be paid to cover the first 5 years of the development, to be secured by S106.

5.6.10 The Highway Officer has also reviewed the waste collection and storage arrangements for the site in the absence of comments from NHC Waste Department, commenting that the proposal appear to comply with the requirements of Manual for Streets and *'internal roads can accommodate manoeuvring space for waste collection vehicles, and the proposed residential units meet the requirements for waste storage...'*

Parking provision

5.6.11 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'*.

5.6.12 On the basis of the proposed housing mix, the proposal includes 243 parking spaces of which 74 would have EV charging facilities, plus 27 for visitors, which is below standard, but the Highway Officer does not consider this to be unreasonable and notes the inclusion of a car club parking bay, and so a condition is recommended to review that detail

5.6.13 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'*. It is noted that 259 cycle parking spaces are proposed on site but no details of cycle parking and storage which can be secured by condition should planning permission be granted.

5.6.14 In light of the above observations, it is considered that the proposal would include sufficient parking provision, which is in accordance with the requirements of the Parking SPD.

Construction and phasing

5.6.15 Regarding construction of the site, it is anticipated that the site would be developed in two phases, taking access from Icknield Way via Highover Road. Phase 1 would be the eastern half around Highover Road, and the second half would be the western half including buildings fronting Icknield Way.

5.6.16 Construction can be a disruptive part of new development and has been raised in representations. The highway authority suggest that this can be effectively managed through a finalised Construction Traffic Management Plan (CTMP) secured by condition should the application be approved. This deals with site set up including parking arrangements, how the site will be accessed, construction routes, delivery arrangements and wheel washing. Given the existing urban location of the site, and close proximity to existing residents it has been helpful to understand how the site will be developed in more detail. A revised CTMP is still recommended to ensure it is robust before commencement of development.

5.6.17 A particular dynamic of the site relates to the use of the footbridge leading into Highover Road. The draft CTMP submitted with the application already shows that access to the Letchworth Greenway needs to be diverted during construction. Further detail was requested and given regarding the existing use of the Greenway and objection from Fearnhill and Highfield School, who shares Sixth Form education facilities. A key

consideration for the CTMP was how students will be able to walk or cycle between school sites in an efficient way and timetabling in how lessons can be scheduled taking into account the travel time. During phase 1 the Greenway would be diverted via the tunnel joining Spring Road for the general public, except for students who will have access to a path from the footbridge around the eastern perimeter of the site. The gate at either end would have a fob access and hoarding. Only sixth form students will have access, and each student will be given a specific fob to help manage safety. During phase 2 the road will re-open for students and the general public, although the Greenway will run in this phase from the footbridge down Highover Road to Icknield Way, rather than dog legging round Campfield Way as at present. Once construction is complete and all new roads are open the Greenway will continue in a similar route as existing.

5.6.18 Officers feel that this is a proportionate response to the problem of closing the footbridge. It's a temporary phase which has been dealt with appropriately through the CTMP.

Mitigation measures

5.6.19 Paragraph 110 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) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given 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...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.'*

5.6.20 NHLP 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...'*

5.6.21 Highway mitigation is secured in two strands: the first through works associated with the immediate impact of the development; and the second through financial contributions towards cumulative impacts of all development on non-car networks. The site is well served already by existing passenger transport.

5.6.22 The following **Strand 1** works are to be secured by S278 agreement and undertaken by the applicant in developing the site:

- Provision of widening of the existing footway (up to 3m max) along the full frontage of the site onto Campfield Way and up to Fearnhill school
- Provision of bus shelter to existing flagpole bus stop onto Icknield Way and
- Provision of RTIB (Real Time Information Board) for both bus stops onto Icknield Way
- Provide several dropped kerbs along Icknield Way (towards town centre) with provision of tactile (list of location/junctions) at:
 - a) At two existing access points of Fearnhill School off Icknield Way
 - b) At the proposed main site access point onto Highover Road off Icknield Way
 - c) At the junction between Highover Road and Martin Way
 - d) At the two junctions between Lindsell Avenue and Icknield Way

- e) At the junction between Rosemount and Icknield Way
- f) At the junction between Spring Roads and Icknield Way

- 5.6.23 The '**Strand 2**' relate to financial contributions of £582,000 (index linked to March 2024) towards projects identified for the vicinity of the site, in this case that could include:
- North Herts LCWIP-Schemes: NH35 – Highfield including school access; NH40 – Icknield way and Greenlane; NH58 – Pixmore Ave; NH56 – Other LGC Improvements
 - HCC's North Central Growth and Transport Plans s Schemes: Schemes will be included from Packages 11(Scheme ID -SM63)
 - Improvement of Railway Footbridge: Potential replacement of the foot bridge; or Improvement to access, painting, and lighting.
- 5.6.24 The highway authority have exercised some flexibility on collecting the strand 2 contribution taking into account the 100% affordable housing provided on site and the net increase of units rather than the gross increase, which is considered reasonable given that although not all unit are occupied they once were and have the potential to be, which would all be able to use current transport infrastructure. Highway officers have also agreed to reduce the strand 2 contributions taking the cost of some strand 1 works off the total. This leaves the agreed £582,000 to be paid by the developer. The highway authority recognises the need for the district council to make the decision on whether this is acceptable. This will be assessed later in the report.
- 5.6.25 To conclude on highway matters, the Highway Authority have not raised any technical objections to the proposals, which will result in a more intense residential use of the site compared to the existing. It is recognised that the construction phase will be disruptive and expect that the suitable phasing and on-site management will assist in students accessing two secondary schools on either side of the railway line. A range of conditions, mitigation measures and planning obligations is recommended to address any impact arising. Several conditions recommended by the Highways Authority are not included as the matters they address are covered by the Highways Act. Overall, this matter is considered to weigh as neutral in the planning balance.

5.7 Flooding Risk and Drainage

- 5.7.1 NHLP Policy NE7 on Reducing Flood Risk sets out that a FRA is prepared to support applications for planning permission in accordance with national guidelines, and that development takes account of reducing flood risk, does not increase flood risk elsewhere, minimise residual flood risk, sensitively designed flood prevention and mitigation where applicable, and protection of overland flow routes and functional floodplain.
- 5.7.2 The application is accompanied by a Flood Risk Assessment (FRA) (prepared by gta Civils and Transport) together with Proposed Drainage Strategy Plans. The site is entirely within EA Flood Zone 1, meaning there is a low probability away from any fluvial flood risk, with '*localised pockets of surface water flood risk*'.
- 5.7.3 Having assessed the submitted reports and information, the Lead Local Flood Authority (LLFA) now raises no objection, with concern previously based on technical issues around permeable surfacing calculations and clarification on detail on the drainage strategy plans. Once this work was undertaken the LLFA no longer raised objection and provided a list of conditions should the application be approved.

- 5.7.4 The FRA states that ‘in-situ soakaway tests’ undertaken on site showed insufficient soil permeability, but that permeable surfacing with direct infiltration is viable. Block paving has been incorporated across the site other than main highway. For impermeable surfaces, water will be attenuated into public surface water sewers utilising existing connections, as much of the site does at present, representing a *‘significant betterment compared with the existing brownfield conditions and help to reduce flood risk downstream including “Hotpot 11” in the centre of Letchworth’*.
- 5.7.5 SuDS features including an open pond, bioretention rain gardens and cellular tanks are included within the proposals and runoff water will be treated more effectively on site compared to the existing which *‘will provide sufficient protection for groundwater source protection zone beneath the site’*. The applicant confirms that foul water will continue to be directed to the existing sewer network.
- 5.7.6 The LLFA does not confirm these improvements of the proposals compared to the existing situation, although the technical work undertaken by the applicant’s consultants has not been disputed. As there is no objection from the LLFA conditions are recommended requiring that the development is undertaken in accordance with the flood risk assessment and drainage strategy. The LLFA have also requested a detailed construction phase surface water management plan, as well as a method statement for temporary drainage. A maintenance and management plan for the sustainable drainage system will be required as well as a verification report once complete.
- 5.7.7 In addition, Anglian Water have also confirmed that they raise no objections with regard to wastewater, surface water drainage and foul water sewerage infrastructure capacity. No conditions are required but text will be added as an informative should the application be approved.
- 5.7.8 The proposals are therefore in accordance with the NPPF 2023 and the NHLP Policy NE7. As the applicant has identified some improvements to the drainage, rather than just minimising residual flood risk, this is considered to be a benefit in the planning balance with moderate weight.

5.8 Ecological considerations

- 5.8.1 The biodiversity impacts arising from the development of the site have also been considered. 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 Biodiversity Net Gain (BNG) requirements came into effect in February 2024.
- 5.8.2 The application is supported by a Preliminary Ecological Appraisal prepared by Greengage. In summary the site contains low value for foraging for bats and for Great Crested Newts, low to moderate potential for reptiles in overgrown gardens, high potential for nesting birds, presence of Schedule 9 Japanese Knotweed, and moderate potential for hedgehog on site.

- 5.8.3 The North Herts Ecologist has reviewed the proposals and concluded there would be no ecological objection to the proposals, noting that the development can deliver 10% BNG through mainly on-site habitat creation as well as 0.55 units off site. This could be done either by using Settle owned sites in the local area, or by the applicant buying units. This will be secured through a condition for a Habitat Management and Maintenance Plan, and a legal agreement will set out the cost of BNG monitoring.
- 5.8.4 In addition, various conditions are recommended including an Ecological Enhancements Plan to identify non-landscaping related improvements, a condition for further lighting detail, a Habitat Management and Maintenance Plan (HMMP) and the required BNG plan. The applicant's ecologist also suggests, and officers agree, that a Construction Environment Management Plan is also required by condition.
- 5.8.5 It is considered that as the whole the overall impact of this proposal in the long term is a benefit to ecology in accordance with NHLP Policies SP17 and NE4, which will have moderate weight in the planning balance.

5.9 Impact on trees and greenspace considerations

Trees and landscaping

- 5.9.1 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.
- 5.9.2 The application is supported by an Arboricultural Impact Assessment prepared by Greengage and last updated in December 2024. There are a total of 124 trees and 31 tree groups within the site. The assessment identifies one Category A group (ref G111) along the eastern perimeter is to be retained
- 5.9.3 Category B groups G2, G3, G5, G35, G38, G71, G72, G90 and G103; and trees T7, T20, T73, T91, T122, T137, T149 and T151 are to be retained, some with pruning. Category B tree T42 Ash in the south is proposed to be removed. There are some proposed root protections area constraints to Category B tree T122 (next to new block R2) and Category C tree T27. There will be a significant number of trees and groups to be removed as part of the proposals, although these primarily relate to street trees.
- 5.9.4 There are many existing street trees throughout the site, which are fruit trees that are considered to be reaching the end of their life as some trees are in poor condition. All of the street fruit trees are to be removed. There are also some mature trees and greenery around the perimeter of the site, and between the boundary with Campfield Way and Icknield Way properties. Mature trees in good conditions will be retained and protected during construction works, in particular the trees to the perimeter. The greenery between Campfield Way and Icknield Way is to be removed to enable to complete and comprehensive redevelopment.

Greenspaces

- 5.9.5 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).
- 5.9.6 NHLP 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.
- 5.9.7 NHLP 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...'*
- 5.9.8 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.
- 5.9.9 The existing site has considerable areas of grass verge along Campfield Way and Highover Road as well as generous back gardens to each home, including the maisonettes on Icknield Way. The proposed redevelopment rethinks the whole structure of the site in order to deliver the increased number of units. As well as providing a denser form of development, each house will have its own private amenity space, and the flats will have balconies and communal open space. There will also be more publicly accessible green spaces. On this site this will comprise green corridors with active travel corridors which comes to about 3,400 sq.m on site; as well as a central open space which will perform an ecological and drainage function at about 1,400 sq.m of green space.
- 5.9.10 The FiT standard would normally require 5.35ha of open space per 1,000 population, which equates to 2.02ha on this site. This should be made up of 1.21ha of opens space (parks and gardens, amenity greenspace, natural and semi natural open space); 0.6ha for outdoor sports (pitches and courts, greens, tracks and trails); and 0.2ha for play space (equipped and informal). Whilst the sites open space isn't divided up quite in this way there would overall be an over provision of open space between the central area and greenspaces around active travel routes. The site also sits in the context of Letchworth, with good access to the Greenway and other parks including Wilbury Recreation Ground which is about 300m away. It is recommended that play equipment equivalent to a LEAP is provided within the central area of open space and to be secured by condition.

5.9.11 To conclude, the proposals would result in reorganising the greenspace together with landscaping and tree planting. Condition for both an Arboricultural Method Statement and a Tree Protection Plan to be submitted, as well as detailed soft and hard landscaping plans, details of play equipment, and a scheme for the management and maintenance of open space. 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.

5.10 Environmental Health considerations

Land contamination

5.10.1 The application is supported by a phase 1 and phase 2 land contamination assessment. In the intrusive investigation activities to date, no significant human health risk has been on site, although access to various part of the site was restricted. A condition is recommended to secure further intrusive investigations to provide a full picture of contamination on site.

Air Quality

5.10.2 NPPF para. 105 states that *'The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health'*. NPPF para. 186 (under section 'Ground conditions and pollution') states that *'Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement'*.

5.10.3 The application has been submitted together with an Air Quality Assessment (AQA). 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 subject to conditions. The assessment considers the development to represent a 'medium' scale development in terms of the measures that will be required to mitigate any adverse impact on local air quality.

5.10.4 For the operational phase the AQA concludes that if the mitigation measures as set out in table 16 in the report are undertaken then this will minimise the particulate/dust impacts. The Environmental Health Officer concurs with this and, therefore, recommends that a condition, should the application be approved, securing these measures during construction.

5.10.5 For the operational phase the report concludes that the proposed development represents a low priority consideration for air quality. The Environmental Health Officer is satisfied with this and suggests that electric vehicle charging points are secured by a condition and installed as per the Council's air quality supplementary guidance.

Noise and Vibration

- 5.10.6 The application is accompanied by a noise assessment by Sol Acoustics Ltd (January 2024). Having assessed the submitted information, the Council's Environmental Health Officer has not raised any objections and has advised that the main sources of noise, namely the railway line, have been correctly and adequately assessed using appropriate standards and guidance. Proposed measures for noise mitigation including enhanced glazing and ventilation are considered appropriate and secure by condition.
- 5.10.7 With regard to noise during the construction phases, it has been advised that a condition is required to secure noise limits identified in the noise assessment.
- 5.10.8 It is also noted that a response from Network Rail on the application does not raise objection in principle to the development but raises concerns regarding the proximity of the proposals to the railway line in relation to noise to residential properties. The Environmental Health officer has been alerted to this particular matter and has addressed it in their comments. Otherwise, Network Rail recommend a series of informatives should the application be approved.

5.11 Primary Healthcare

- 5.11.1 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 (2016, updated in Jan 2018) shows that two out of four practices in Letchworth had no spare capacity (Birchwood and Nevells Road), however the NHS website now shows that only Sollershott East is not accepting new patients, whereas the other three are. The IDP is rather out of date now, but at that time there was showing to overall be no capacity across the four surgeries.
- 5.11.2 In the NHS ICBs initial response to the application, it was identified that a contribution would be needed, based on the net increase in units and 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 of the GP surgeries in Letchworth would be appropriate, although no project is specially identified. The applicant has challenged the principle of paying the contribution based on the lack of justification for it, however Officers have re-consulted with NHS and await their response.
- 5.11.3 Officers consider that it is likely a financial contribution could likely be justified given the lack of capacity on the town. This is a windfall site, which was not accounted for in the increase of new homes and population as part of the Local Plan. The primary care facilities in Letchworth did not have sufficient capacity to accommodate the additional population arising from the proposed development and there are now still capacity issues for the town, and so there would be a direct impact on local healthcare services. Officer's view is that this requires mitigation but recommends that this matter is delegated to the

Development and Conservation Manager to determine an appropriate contribution once further comments are received from the NHS ICB. The applicant has agreed to this approach, which would be neutral in the planning balance.

5.12 Sustainability Assessment

5.12.1 Sustainability measures of the development are set out a variety of supporting documents, and these are summarised in a Sustainability Statement prepared by Couch Perry Wilkes. A summary of the sustainability targets under each of the themes set out in the SPD is set out below:

- **Theme 1: Optimising Passive Design & Fabric Performance** – An exemplar approach is being proposed based on fabric first design principles. The passive design elements have been developed to exceed the minimum fabric efficiency criteria under the Building Regulations.
- **Theme 2: Achieving low-carbon energy** – Heating and hot water systems shall be provided to deliver Low or Zero Carbon (LZC) technology is utilised providing renewable contributions at the development. These comprise –
 - Apartment Blocks: Electric Panel Heaters and Air Source Heat Pump Cylinder.
 - Houses & Bungalows: Individual heat pumps feeding HW cylinder and heating emitters in dwellings.
 - The government's Future Homes Standards is due to come into force late 2026. Depending on the construction time of the development, additional measures such as solar PV, are likely to be mandatory for all new homes.
- **Theme 3: Minimising carbon footprint - Whole Life Cycle Assessment (all residential development) and Circular Economy Principles (Major residential developments)** – The developer commits to using renewable and recyclable materials with locally sourced materials specified where possible. Reducing on-site waste through a waste management strategy is proposed (both construction and operational phases).
- **Theme 4: Healthy placemaking - Green & Blue Infrastructure, NHS Health into Place Principles for Residential Development Bronze+ and Urban Greening Factor (UGF) for Major Residential Scheme** – Section 7.8 of the submitted report summarises these elements. This is already dealt with in section 5.9 on trees and greenspaces of this report, which states that subject to conditions the proposals address the need for open space.
- **Theme 5: Promoting biodiversity - Ecological Surveys & Assessment Silver - Arboriculture Assessment (where trees are impacted by proposal)** – Section 7.8 of the submitted report summarises these elements. This is already dealt with in section 5.8 on ecology of this report, which states that 10% BNG can be met subject to conditions to enhance the ecological credential for the site.

- **Theme 6: Sustainable travel – Transport statements, assessments and travel plans** – Section 7.9 of the submitted report summarises these elements. This is already dealt with in section 5.6 on local highway network, access and parking of this report and meets bronze.
- **Theme 7: Conserving water** – The intention is that the internal water use is reduced to a maximum of 105 litres per head per day (bronze+). This will be achieved using the following -
 - Water efficient taps.
 - Water efficient cisterns.
 - Low output showers.
 - Flow restrictors to manage water pressures to achieve optimum levels.
 - Water meters to all premises with guidance on water consumption and savings.
- **Theme 8: Incorporating sustainable drainage** – Section 7.4 of the submitted report summarises these elements. The site accommodated Suitable drainage features and the LLFA have no objection subject to conditions (bronze).
- **Theme 9: Historic Buildings** – Not relevant.

5.12.2 The proposal sets out in the Sustainability Statement how many of the minimum standards of the above themes of the Sustainability SPD will be exceeded to meet silver standards. The development should be constructed in accordance with the submitted details. The benefits of these sustainability credentials weigh moderately in favour of the proposals.

5.13 Planning Obligations

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 adopted by the Council 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 DS2 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 DS2. Between all these assumptions, the appraisal indicates that the scheme would be about £14 million in deficit and relies completely on grants and funding. There is a difficult dynamic where grants cannot be secured until planning permission is granted and so this application progresses to ensure it reaches a stage where the applicant can move forward, acknowledging the risk of wasted time and expense which is the applicants to bear. The deficit in the viability does include the

financial contributions requested by HCC Highways and Growth and Infrastructure. It should also be noted that since the time the viability review was undertaken HCC Growth and Infrastructure have reviewed their contributions and the amounts have been overall reduced, which is positive for the viability position. The viability review did not take account of NHS requested contributions due to timing but given the reduction of GIU contributions this is covered. There is no other argument made by the applicant for reducing contributions.

5.13.4 The applicant agrees to the Heads of Terms listed in the following table:

Element	Detail	Justification
Affordable Housing (NHDC)	The scheme will deliver 100% affordable housing over two phases of which a minimum of 53% will be delivered using social tenure (social rent, affordable rent) and no more than 47% will be delivered using intermediate tenures (shared ownership, shared equity). There is flexibility for the applicant to increase the proportion of social tenures by providing a scheme of affordable housing through the s106.	NHDC Developer Contributions (SPD) Feb 2023 NHLP Policy HS2
Childcare Services (HCC)	Indicative contributions of £16,695 (to be index linked) towards increasing the capacity of 0-2-year-old childcare facilities in the Letchworth and Baldock Family Centre Reporting Locality and/or provision serving the development Indicative contributions of £423 (to be index linked) towards increasing the capacity of 5-11 year old childcare facilities at Icknield Infant and Nursery School and Wilbury Junior School, and/or provision serving the development	Policy SP7; Developer Contributions SPD; and HCC 'Guide to Developer Infrastructure Contributions' 2022
Special Educational Needs and Disabilities (SEND) (HCC)	Indicative contribution of £103,328 (to be index linked) towards new Severe Learning Difficulty (SLD) special school places (EAST) and/or provision serving the development	As above
Library Services (HCC)	Indicative contribution of £21,221 (to be index linked) towards increasing the capacity of Letchworth Library and/or provision serving the development	As above
Youth Services (HCC)	Indicative contribution of £6,595 (to be index linked) towards resource requirements to support the delivery of youth work with young people in the area and/or provision serving the development	As above

Waste Service (HCC)	Indicative contributions of £125,624 (to be index linked) towards increasing capacity at Letchworth Recycling Centre or provision to serve the development and/or provision serving the development	As above
Waste Service: Recycling Centre Contribution	Indicative contributions of £15,191 (to be index linked) towards increasing capacity at Letchworth Recycling Centre or a new recycling centre in Baldock and/or provision serving the development	As above
Waste Service: Transfer Station Contribution	Indicative contributions of £21,245 (to be index linked) towards increasing capacity through the new Northern Transfer Station and/or provision serving the development	As above
Fire and Rescue Service	Indicative contributions of £42,490 (to be index linked) towards increasing the capacity through the expansion of Baldock and Letchworth Fire Station and/or provision serving the development	As above
Sustainable Transport contributions (HCC)	Contributions of £582,000 (to be indexed linked) towards measures to enhance sustainable transport in the vicinity calculated based on the number of non-car driver trips and the scale of residential and non-residential development, to upgrade and improve sustainable transport in line with priorities identified	Policy SP7, SP17 and D1 Developer Contributions SPD HCC LTP4 HCC 'Guide to Developer Infrastructure Contributions' 2022
Monitoring Fees (HCC)	Towards the County Council's reasonable and proper administrative costs of monitoring compliance with the provision in the legal agreement. The fees will be calculated based on the number of triggers within the legal agreement with each distinct trigger point attracting a charge of £420 (adjusted for inflation against RPI January 2024)	Policy SP7; Developer Contributions SPD; and HCC 'Guide to Developer Infrastructure Contributions' 2022

Monitoring Fee (NHDC)	One off monitoring fee of £420 (to be index linked) per trigger for monitoring affordable housing	Policy SP7 Developer Contributions SPD
Primary Healthcare	Contribution toward primary healthcare provision in the Letchworth Garden City area, amount to be discussed and agreed with the NHS and applicant, to be delegated to the Development and Conservation Manager.	Policy SP7 Developer Contributions SPD

5.13.5 At this stage the planning contribution figures have been agreed by all parties. Discussions are ongoing regarding the wording of the s106 Agreement however it is considered that discussions are 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.

5.13.6 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, 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). Further response is awaited from the NHS to finalise an agreed contribution that is fairly and reasonably related in scale and kind and will be delegated to the Development and Conservation Manager.

5.13.7 Some of the provisions of the Obligation are designed to mitigate the impact of the proposal and these elements, most notably the infrastructure contributions, therefore weigh as neutral in the planning balance. Affordable housing provision will also be secured in the legal agreement, and the developments overprovision of affordable housing do weigh heavily in favour of the proposed development, but this has already considered previously in this report and considered separately in the conclusion below.

5.14 Planning Balance

5.14.1 The site at Campfield Way in Letchworth is an unallocated site in the NHLP but would be a windfall site with a net increase of 69 homes on a previously developed site which would contribute 100% affordable housing. The site will make a very significant contribution to the delivery of affordable homes in the district.

5.14.2 Through this planning application for full permission, this site has been through a pre-application masterplanning exercise with formal Design Review Panel and extensive negotiations over the last few years. The proposals represent a high standard of urban design in keeping with this historically sensitive context. The proposals are in accordance with Policies SP9 of the NHLP 2022.

Harm to heritage assets

5.14.3 Given the less than substantial harm to a designated heritage asset, the NPPF para. 202 requires that '*this harm should be weighed against the public benefits of the proposal...*' NHLP Policy HE1 reflects this position in point c). There are several public benefits

identified arising from the proposals, which have already been addressed earlier in this report:

- a) This application is for 157 new homes to be delivered on a site within the urban area of a town, representing an increase of 69 units on site. This housing development will positively contribute to the district’s delivery of housing and in particular the 5-year housing land supply as per Policies SP8 and IMR1.
- b) The proposals would comprise 100% affordable housing. The public benefit is the delivery of a significant number of new affordable homes, to be delivered with a range of housing mix and tenures. This housing development will significantly contribute to the district’s delivery of affordable housing and in particular the 5-year housing land supply as per Policies SP8 and IMR1.
- c) The proposals would provide a more suitable housing mix, which meets the needs of existing residents and the housing needs of the district.
- d) The site has been masterplanned with urban design colleagues through pre-application negotiations and Design Review Panel, and the design has incorporated the Garden City Principles in layout and architectural detail.

5.14.4 In accordance with the NPPF and NHLP policies the proposals are considered to result in ‘less than substantial harm’ that the proposals will have on the designated heritage asset and its setting, but that the public benefits of the delivery of up to 69 net increase in homes of which 100% will be affordable housing, is sufficient to outweigh the harm. This matter weighs greatly in the planning balance.

5.14.5 The following table summarises the matters that weigh in favour and against the proposed development:

Issue	Effect	Weight
Provision of 157 affordable homes	Benefit*	Very significant
Masterplan and urban design	Benefit*	Moderate
Sustainability credentials	Benefit*	Moderate
Ecology	Benefit*	Moderate
Heritage	Less than substantial harm*	Great
Planning obligations	Neutral*	None
Trees and Greenspaces	Neutral*	None
Archaeology	Neutral*	None
Highways	Neutral*	None
Flood risk and drainage	Neutral*	None
Environmental health	Neutral*	None
Residential amenity	Neutral*	None
Primary healthcare	Neutral*	None

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

6.0 Overall Assessment

- 6.1.1 This is a proposed development on previously developed land within the existing urban area of Letchworth. The proposals will make an important contribution to the housing land supply, in particular the contribution towards affordable housing. 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.
- 6.1.2 The several collective benefits of the development, including the provision of affordable housing which is very significant; the masterplanning of the site and resultant quality of urban design, ecology and sustainability credentials are all described as moderate benefits in the planning balance. The adverse impact identified relates to heritage. The agreed planning obligations address the impact of the proposed development and are considered to be necessary, directly related to the development and fairly and reasonably related in scale and kind, as per the CIL regulations.
- 6.1.3 Overall, the heritage 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.
- 6.1.4 The proposal would accord with the development plan as a whole and other material consideration do not indicate otherwise. Accordingly, it is recommended that planning permission be granted for this full planning application.

7.0 Alternative Options

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

8.0 Pre-Commencement Conditions

- 8.1 The applicant has yet to agree the pre-commencement conditions that are proposed.

9.0 Legal Implications

- 9.1 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.

10.0 Recommendation

- 10.1 That outline planning permission is resolved to be **GRANTED** subject the following:
- A) The completion of a satisfactory legal agreement, and the applicant agreeing to extend the statutory period in order to complete the agreement if required; and
 - B) Providing delegated powers to the Development and Conservation Manager to finalise a NHS contribution, and to update conditions and informatives with minor amendments as required;

C) The written agreement of the applicant to pre-commencement conditions; and

D) Conditions as set out below:

Definitions:

'**Development Phase**' means a phase or part of the development. For instance, this would include either east or west parcel of the application site divided into two phases or part by the applicant.

Condition 1 Biodiversity Net Gain

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be North Herts Council.

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.

1. Timescales

The development hereby permitted shall be begun before the expiration of 5 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 and Documents

The development hereby permitted shall be carried out in accordance with the details specified in the application and supporting, approved documents and plans, 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.

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.

3. Restricted Permitted Development rights

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

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

4. Materials

Details and/or samples of materials to be used 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 above ground works 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.

5. Details of soft landscaping

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

Soft Landscape

- a) Details of trees, hedgerows, habitats, ponds and other natural features it is proposed to retain or remove and details of how they will be protected during the construction phase. Such details to include the tree protection measures in accordance with BS5837:2012.
- b) Full details of planting plans and written specifications, including cultivation proposals for maintenance and management associated with plant and grass establishment, details of the mix, size, distribution, density and levels of all trees/hedges/shrubs to be planted and the proposed time of planting. The planting plan shall use botanic names to avoid misinterpretation. The plans should include a full schedule of plants;
- c) 1:100 plans (or at a scale otherwise agreed) with cross-sections of mounding, ponds, ditches and swales and proposed treatment of the edges and perimeters of each development phase;
- d) The landscape treatment of roads;
- e) A specification for the establishment of trees within hard landscaped areas including details of space standards (distances from buildings etc.), tree pit details and details of the species, number and spacing of trees and shrubs;
- f) The planting and establishment of structural landscape to be provided in advance of all or specified parts of the site as appropriate;
- g) Full details of any proposed alterations to existing watercourses/drainage channels and details of any water features;

No subsequent alterations to the approved landscape details are to take place unless submitted to and approved in writing by the Local Planning Authority.

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

6. Landscaping timing

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

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

7. Tree retention

None of the trees to be retained on the application site shall be felled, lopped, topped, uprooted, removed or otherwise destroyed or killed without the prior written agreement of the Local Planning Authority.

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

8. Tree protection

No works or development shall take place on a development parcel before a scheme for the protection of the existing trees (other than those the removal of which has been granted express permission in writing by the Local Planning Authority) has been submitted to and approved in writing by the Local Planning Authority. Such a scheme will comply with the provisions of BS5837 ("Trees in relation to construction – 1990") and BS 3998 ("Recommendations for tree works – 1989"). The approved scheme for the protection of the existing trees shall be implemented before development commences on a development parcel and be maintained in full until the development has been completed

Reason: To ensure protection during construction works of trees, hedges and hedgerows which are to be retained on or near the site in order to ensure that the character and amenity of the area are not impaired in accordance with North Hertfordshire Local Plan policy NE2.

9. Ecological Enhancements

Notwithstanding the Preliminary Ecological Appraisal submitted with the application, no development above ground works shall take place until an Ecological Enhancement Plan (EEP) for the creation of new wildlife features such as hibernacula, the inclusion of integrated bird/bat and bee boxes in buildings/structures, has been submitted to and approved in writing by the local planning authority. These shall be implemented on site in accordance with the details unless otherwise agreed in writing.

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.

10. Construction Environmental Management Plan

No development shall take place (including demolition, ground works, 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 "biodiversity protection zones".
- c) Practical measures to avoid or reduce impacts during construction.
- d) Details to address containment, control and removal of invasive non-native species.
- e) The location and timing of sensitive works to harm to biodiversity features including lighting
- f) Responsible persons and lines of communication.
- g) 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.

11. Lighting (ecology)

Prior to the commencement of the development above ground works hereby approved, a scheme of sensitively designed lighting strategy shall be submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall include and consider light spill onto retained and newly created habitat, in particular the retained woodland habitat forming the south of the site, should be minimised in accordance with good practice guidance, as set out in footnote 15 of the approved Updated Ecological Report by Aspect Ecology referenced 1005083 UEcoAp vf12 CL dated 15/11/2022. The sensitively designed lighting strategy shall consider the following key factors:

- Light exclusion zones
- Variable Lighting Regimes
- Light barriers
- Spacing and height of lighting units
- Light intensity
- Directionality

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.

12. Habitat Management and Monitoring Plan

The development shall not commence until a Habitat Management and Monitoring Plan (HMMP), prepared in accordance with the approved Biodiversity Gain Plan has been submitted to, and approved in writing by, the local planning authority and including;

- (a) a non-technical summary;
- (b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
- (c) the planned habitat creation and enhancement works in accordance with the approved Biodiversity Gain Plan;

- (d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development;
- (e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority.

The agreed measures are to be implemented on site prior to the first occupation of the first dwellinghouse hereby approved and shall remain on site thereafter.

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.

13. Historic Building Survey

No demolition of the bungalows in each development phase can commence until a programme of historic building recording has been secured and undertaken in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority.

A Heritage Interpretation Strategy shall be submitted to the local authority and approved in writing prior to the commencement of demolition works. This shall include details of the content and location of the proposed interpretation boards, details of all material proposed for deposition within the Letchworth Garden City Heritage Foundation and Garden City Museum and details of the proposed aural history project.

Reason: To safeguard the identification and recording of any features of architectural, historic and archaeological interest associated with the site and the fabric of the buildings in accordance with Policies SP13, HE1 and HE4 North Hertfordshire Local Plan 2011 to 2031.

14. Fire Hydrants

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

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

15. SWMP

No development shall take place until a Site Waste Management Plan (SWMP) for the site has been submitted to the Local Planning Authority and approved in consultation with the Waste Planning Authority. The SWMP should aim to reduce the amount of waste produced on site and should contain information including estimated types and quantities of waste to arise from construction and waste management actions for each waste type. The development shall be carried out in accordance with the approved SWMP.

Reason: To promote the sustainable management of waste arisings and contribution towards resource efficiency, in accordance with Policy 12 of the Hertfordshire Waste Core Strategy and Development Management Policies Development Plan Document (2012).

16. EV Recharging Infrastructure Condition

The proposed new development shall incorporate Electric Vehicle (EV) ready domestic charging points on the following basis:

1 charging point per unit (dwelling with dedicated parking) or 1 charging point per 10 spaces (unallocated parking)

Prior to occupation of the relevant development phase, the final provision and EV specification should be submitted to and agreed with the Council on the basis of a detailed proposal.

Reason: To contribute to the objective of providing a sustainable transport network and to provide the necessary infrastructure to help off-set the adverse impact of the operational phase of the development on local air quality.

17. Phase 2 Investigation

No construction activity approved by this permission shall take place until a further Phase 2 investigation report, as recommended by the previously submitted Leap Environmental Ltd report dated 19th January 2024 (Ref: LP3053/SI/4), has been submitted to and approved in writing by the Local Planning Authority. Where found to be necessary by the phase 2 report a remediation strategy to deal with the risks associated with contamination of the site shall also be submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall include an options appraisal giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency action.

Reason: To protect human health and to ensure that no future investigation is required under Part 2A of the Environmental Protection Act 1990.

18. Contamination Validation Report

Prior to the occupation of the relevant development phase a validation report shall be submitted and approved in writing by the Local Planning Authority to demonstrate the effectiveness of any agreed Remediation Strategy. Any such validation shall include responses to any unexpected contamination discovered during works.

Reason: To protect human health and to ensure that no future investigation is required under Part 2A of the Environmental Protection Act 1990.

19. Contaminated Land

In the event that contamination not identified in the ground investigations to date is found at any time when carrying out the approved development, it shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment shall then be undertaken by a competent person, in accordance with BS10175:2011. A written report of the findings should be forwarded for approval to the Local Planning Authority. Following completion of remedial measures a verification report shall be prepared that demonstrates the effectiveness of the remediation carried out. No part of the development should be occupied until all remedial and validation works are approved in writing.

Reason: To protect human health and to ensure that no future investigation is required under Part 2A of the Environmental Protection Act 1990. (EHO)

20. Noise from Transport

No development above ground level works of each development phase shall take place until a scheme for protecting the proposed dwellings from noise from transport sources has been submitted to and approved in writing by the local planning authority. The scheme shall be based on the recommendations identified in the Sol Acoustics Ltd report (Ref: P2076-REP02-DJR REV09) dated January 2024. None of the dwellings shall be occupied until such a scheme has been implemented in accordance with the approved details and it shall be retained in accordance with those details thereafter.

Reason: To protect the amenity of future residents

21. Noise Limits

Any plant machinery or equipment installed as part of this development shall not exceed the noise limits as set out in the Sol Acoustics Ltd report (Ref: P2076-REP02-DJR REV09) dated January 2024.

Reason: To protect the residential amenity of existing residents

22. LLFA Condition 1

All development shall be constructed in accordance with the submitted and approved Flood Risk Assessment (Titled "Flood Risk Assessment Campfield Way, High over Road, 49a-75 (odd) Icknield Way, Letchworth Garden City" and dated December 2024), 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 Condition 2

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

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

24. LLFA Condition 3

Development shall not commence until details and a method statement for interim and temporary drainage measures during the demolition and construction phases have been submitted to and approved in writing by the Local Planning Authority. This information shall provide full details of who will be responsible for maintaining such temporary systems and demonstrate how the site will be drained to ensure there is no increase in the off-site flows, nor any pollution, debris and sediment to any receiving watercourse or sewer system. The site works and construction phase shall thereafter be carried out in accordance with approved method statement, unless alternative measures have been subsequently approved by the Planning Authority

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

25. LLFA Condition 4

The relevant development phase hereby approved shall not be occupied in the relevant development phase until details of the maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented prior to the first occupation of the development hereby approved and thereafter managed and maintained in accordance with the approved details in perpetuity. The Local Planning Authority shall be granted access to inspect the sustainable drainage scheme for the lifetime of the development. The details of the scheme to be submitted for approval shall include:

I. A timetable for its implementation.

II. Details of SuDS feature and connecting drainage structures and maintenance requirement for each aspect including a drawing showing where they are located.

III. A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime. This will include the name and contact details of any appointed management company.

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

26. LLFA Condition 5

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 [LLFA Condition 1]. Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed with the findings submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the flood risk is adequately addressed, not increased and users remain safe for the lifetime of the development in accordance with NPPF and Policies of North Herts Council.

27. Visibility Splays

Prior to the first occupation, all visibility splays for internal road and at the main access point off Icknield Way as shown on the drawings (Ref- 1022.0002.003, Rev D and 1022.0002.004, Rev-D) included as "Appendix-E" in the submitted Transport Assessment (TA) shall be provided and such splays shall thereafter be always maintained free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

Reason: To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018) and Roads in Hertfordshire, Section 4, 2.3

28. Parking

Prior to the first occupation of the relevant development phase hereby permitted the proposed parking and turning areas as shown on in-principal drawing (Ref- CW-RTA-XX-XX-DR-A-00114

Rev -PL06) shall be laid out, demarcated, levelled, surfaced, and drained in accordance with the approved plan and retained thereafter available for that specific use.

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

29. Cycle Parking

Before the occupation of each development phase hereby permitted, a scheme for the parking of cycles including details of the design, level and siting of the proposed parking 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 for this purpose.

Reason: To ensure the provision of adequate 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)

30. Construction Management Plan and Temporary Closure of Greenway Footbridge:

The development shall be carried out in accordance with approved Construction Traffic and Environment Management Plan (Ref- CMP_08, Feb-2025). And prior to commencement of the phase 1 works, additional plans must be submitted to and approved in written by the LPA in consultation with highway authority which show the details of proposed alternative pedestrians route including diversion & direction signs and additional dropped kerbs if needed as proposed in page 36-37 of the submitted Construction Management Plan. And the alternative route shall be provided before closing off the railway footbridge and re-open the railway footway bridge for public use after completion of the phase 1 works.

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).

31. Archaeology A

Notwithstanding the details provided within the Written Scheme of Investigation (WSI) phase 1 Trial Trench Evaluation and Historic Building Recording by HCUK and Archaeological Evaluation by PCA, no demolition or development shall take place or commence until a further Archaeological WSI has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of archaeological significance and research questions; and:

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

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

32. Archaeology B

The demolition/development shall take place/commence in accordance with the programme of archaeological works set out in the Written Scheme of Investigation approved under condition **(Archaeology A)**

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

33. Archaeology C

The development shall not be occupied/used until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition **(Archaeology A)** and the provision made for analysis and publication where appropriate.

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

34. Sustainability Statement

The details set out in the Sustainability Statement rev P09 shall be implemented and thereafter retained unless otherwise agreed in writing by the Local Planning Authority.

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

35. Waste storage detail

Prior to occupation of each development phase, details of the provisions for the storage and recycling of refuse have been submitted to and approved in writing by the Local Planning Authority. These provisions shall be made and/or constructed and thereafter be permanently available for the occupants of the building(s).

Reason: To facilitate refuse and recycling collections, and to protect the amenities of nearby residents/occupiers and in the interests of visual amenity in accordance with North Hertfordshire Local Plan Policies D1 and D3.

36. Open Space Management and Maintenance

Prior to occupation of each development phase, a detailed Open Space Management and Maintenance Scheme for the management and maintenance of all areas of open space (to include parks, greenways, play areas, informal open space, semi-natural green space, drainage areas) shall be submitted to and agreed in writing by the Local Planning Authority and implemented. Details to be submitted shall include:

- a) Management organisation;

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

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

Reason: To ensure adequate open space and amenity provision as per North Hertfordshire Local Plan Policy NE6.

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:

EV Charging Point Specification:

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

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

- A separate dedicated circuit protected by an RBCO should be provided from the main distribution board, to a suitably enclosed termination point within a garage or an accessible enclosed termination point for future connection to an external charge point.
- The electrical circuit shall comply with the Electrical requirements of BS7671: 2008 as well as conform to the IET code of practice on Electric Vehicle Charging Equipment installation 2012 ISBN 978-1-84919-515-7 (PDF). This includes requirements such as ensuring the Charging Equipment integral protective device shall be at least Type A RCD (required to comply with BS EN 61851 Mode 3 charging).
- If installed in a garage all conductive surfaces should be protected by supplementary protective equipotential bonding. For vehicle connecting points installed such that the vehicle can only be charged within the building, e.g. in a garage with a (non-extended) tethered lead, the PME earth may be used. For external installations the risk assessment outlined in the IET code of practice must be adopted, and may require additional earth

stake or mat for the EV charging circuit. This should be installed as part of the EV ready installation to avoid significant on cost later.

- A list of authorised installers (for the Government's Electric Vehicle Homecharge Scheme) can be found at <https://www.gov.uk/government/organisations/office-for-low-emission-vehicles>
- UK Government issued legislation in 2021 to require domestic EV charge points to be smart, thus we recommend that all charge points will be capable of smart charging, as detailed in UK Gov regulations.

HIGHWAY INFORMATIVE:

AN) 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

AN) 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.

AN) New or amended vehicle crossover access (section 184): Where works are required within the public highway to facilitate a new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission, requirements and for the work to be carried out on the applicant's behalf. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/dropped-kerbs/dropped-kerbs.aspx> or by telephoning 0300 1234047.

AN) 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.

AN) 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.

AN) Section 106 Agreement: Planning permission granted subject to the completion of a Section 106 Agreement between the applicant, North Hertfordshire District Council, and Hertfordshire County Council to secure the following:

A. A financial contribution towards Sustainable Transport Contribution of £370,994.00 index linked by SPONS to January 2019 to be pooled towards the following listed schemes in priority basis.

i).North Herts LCWIP-Schemes:

- NH35 –Highfield including school access.
- NH40 – Icknield way and Greenlane
- NH58 -Pixmore Ave
- NH56 – Other LGC Improvements

ii).HCC's North Central Growth and Transport Plans s Schemes:

- Schemes will be included from Packages 11(Scheme ID -SM63)

iii).Improvement of Railway Footbridge:

- Potential replacement
- Improvement to access, painting, and lighting

B.Travel Plan:

i) .An approved Travel Plan at least 3 months before first occupation, consisting of a written agreement with the County Council which sets out a scheme to encourage, regulate, and promote sustainable travel measures for owners, occupiers, and visitors to the Development in accordance with the provisions of the County Council's Travel Plan Guidance (March 2020) or any subsequent replacement guidance.

ii) The Travel Plan is subject to an 'Evaluation and Support Contribution' totalling £6,000 (index linked by RPI from March 2014), payable before first occupation of the development. This contribution is to cover the County Council's costs of administrating and monitoring the objectives of the Travel Plan and engaging in any Travel Plan Review. The applicant's attention is drawn to Hertfordshire County Council's guidance on Travel Plans in this respect.

iii.) A Travel Plan Remedial Measures Notice clause within the Legal Agreement, enabling the County Council to serve notice in writing on the Owner via the Travel Plan Co-ordinator where the Owner has failed to meet one or more of the targets identified in the Travel Plan, and specifying the remedial measures and/or actions required to be taken by the Owner to remedy the failed implementation towards the agreed targets with a reasonable time.

C.Car Club:

i.) A 'Car Club Agreement' between the Owner and a Car Club Operator overseen by North Herts District Council, for the provision of a Car Club, to include at least two Car Club space prior to first occupation of any dwelling, and to safeguard the Car Club space for use by the Car Club. The Car Club shall include Car Club Credit Vouchers (value to be confirmed) to the end-user of the use of the cars made available by the Car Club.

ii.) At least one resident in each dwelling at the site will have access to one year's free membership of Enterprise Car Club (or whichever other operator is active at this site) and £50 drive time vouchers.

AN) 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>

AN) Stopping up of highway: Highway rights will need to be extinguished across the area of land affected in accordance with a Stopping Up order to be made by the Secretary of State for the Department of Transport under Section 247 of the Town and Country Planning Act 1990 before development can commence. Further information is available on the Planning Portal at: https://www.planningportal.co.uk/info/200187/your_responsibilities/40/other_permissions_you_may_require/14 and on the government website:

<https://www.gov.uk/government/publications/stopping-up-and-diversion-of-highways>

AN) 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

Anglian Water

ASSETS

Section 1 - Assets Affected

There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water would ask that the following text be included within your Notice should permission be granted. Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore, the site layout should take this into account and accommodate those

assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

WASTEWATER SERVICES

Section 2 - Wastewater Treatment

The foul drainage from this development is in the catchment of Letchworth Water Recycling Centre that will have available capacity for these flows

Section 3 - Used Water Network

This response has been based on the following submitted documents: Propose Drainage Strategy Plan 11895/1101 P7; Based upon the above reference documents, the proposed connection is acceptable. We do not require a condition in planning for foul water. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.

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.

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.

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 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

Thames Water

Thames Water has reviewed this H4 consultation. Your client requires a build over agreement before commencing works, because we believe the proposed development is within 3 metres of a public sewer (of which, the internal diameter is less than or equal to 150mm).

Your client can find out more and apply on our [website](#) .

Please also advise your client, if applicable, that Thames Water do not permit driven piles within 15m of a public sewer. Our technical guidance can be found [here](#) .

Works in Proximity to the Operational Railway Environment

Development Construction Phase and Asset Protection

Due to the proximity of the proposed development to the operational railway boundary, it will be imperative that the developer liaise with our Asset Protection Team (contact details below) prior to any work taking place on site to ensure that the development can be undertaken safely and without impact to operational railway safety. Details to be discussed and agreed may include construction methodology, earthworks and excavations, use of crane, plant and machinery, drainage and boundary treatments. It may be necessary for the developer to enter into a Basic Asset Protection Agreement (BAPA) with Network Rail to ensure the safety of the operational railway during these works. We would also like to advise that where any damage, injury or delay to the rail network is caused by construction works or future maintenance (related to the application site), the applicant or developer will incur full liability. This could also include police investigation as it is a criminal offence to endanger the railway or obstruct the passage of rail traffic. It should also be noted that any damage that requires a line closure or repairs can result in costs which could exceed hundreds of thousands of pounds.

Contact details for Asset Protection are supplied below and **we would draw the developers' attention to the attached guidance on Network Rail requirements.**

The application must be supported by a site-specific Construction Methodology should it not be possible to satisfy Network Rail's requirements recommended in the attached. The council should satisfy itself, without consulting Network Rail, that there are good reasons why the recommended requirements cannot be adhered to.

Additional Requirements

Railway Noise Mitigation

The Developer should be aware that any development for residential or noise sensitive use adjacent to an operational railway may result in neighbour issues arising. Consequently, every endeavour should be made by the developer to provide adequate soundproofing for each dwelling. Please note that in a worst-case scenario there could be trains running 24 hours a day and the soundproofing should take this into account.

Network Rail Standard Informatives

Please note, not all of these requirements may be applicable to this development

Fail Safe Use of Crane and Plant

All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a "fail safe" manner such that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0m of the nearest rail of the adjacent railway line, or where the railway is electrified, within 3.0m of overhead electrical equipment or supports.

With a development of a certain height that may/will require use of a crane, the developer must bear in mind the following. Crane usage adjacent to railway infrastructure is subject to stipulations on size, capacity etc. which needs to be agreed by the Asset Protection Project Manager prior to implementation.

Excavations/Earthworks

All excavations/ earthworks carried out in the vicinity of Network Rail property/ structures must be designed and executed such that no interference with the integrity of that property/ structure can occur. If temporary works compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details. Where development may affect the railway, consultation with the Asset Protection Project Manager should be undertaken. Network Rail will not accept any liability for any settlement, disturbance or damage caused to any development by failure of the railway infrastructure nor for any noise or vibration arising from the normal use and/or maintenance of the operational railway. No right of support is given or can be claimed from Network Rail's infrastructure or railway land.

Security of Mutual Boundary

Security of the railway boundary will need to be maintained at all times. If the works require temporary or permanent alterations to the mutual boundary the applicant must contact Network Rail's Asset Protection Project Manager.

Demolition

Any demolition or refurbishment works must not be carried out on the development site that may endanger the safe operation of the railway, or the stability of the adjoining Network Rail structures. The demolition of buildings or other structures near to the operational railway infrastructure must be carried out in accordance with an agreed method statement. Approval of the method statement must be obtained from Network Rail's Asset Protection Project Manager before the development can commence.

Vibro-impact Machinery

Where vibro-compaction machinery is to be used in development, details of the use of such machinery and a method statement should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker prior to the commencement of works and the works shall only be carried out in accordance with the approved method statement.

Scaffolding

Any scaffold which is to be constructed within 10 metres of the railway boundary fence must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffold must be installed.

Bridge Strikes

Applications that are likely to generate an increase in trips under railway bridges may be of concern to Network Rail where there is potential for an increase in 'Bridge strikes'. Vehicles hitting railway bridges cause significant disruption and delay to rail users. Consultation with the Asset Protection

OFFICIAL

Project Manager is necessary to understand if there is a problem. If required there may be a need to fit bridge protection barriers which may be at the developer's expense.

Abnormal Loads

From the information supplied, it is not clear if any abnormal loads will be using routes that include any Network Rail assets (e.g. bridges and level crossings). We would have serious reservations if during the construction or operation of the site, abnormal loads will use routes that include Network Rail assets. Network Rail would request that the applicant contact our Asset Protection Project Manager to confirm that any proposed route is viable and to agree a strategy to protect our asset(s) from any potential damage caused by abnormal loads. I would also like to advise that where any damage, injury or delay to the rail network is caused by an abnormal load (related to the application site), the applicant or developer will incur full liability.

Two Metre Boundary

Consideration should be given to ensure that the construction and subsequent maintenance can be carried out to any proposed buildings or structures without adversely affecting the safety of, or encroaching upon Network Rail's adjacent land, and therefore all/any building should be situated at least 2 metres from Network Rail's boundary. This will allow construction and future maintenance to be carried out from the applicant's land, thus reducing the probability of provision and costs of railway look-out protection, supervision and other facilities necessary when working from or on railway land.

ENCROACHMENT

The developer/applicant must ensure that their proposal, both during construction, and after completion of works on site, does not affect the safety, operation or integrity of the operational railway, Network Rail and its infrastructure or undermine or damage or adversely affect any railway land and structures. There must be no physical encroachment of the proposal onto Network Rail land, no over-sailing into Network Rail airspace and no encroachment of foundations onto Network Rail land and soil. There must be no physical encroachment of any foundations onto Network Rail land. Any future maintenance must be conducted solely within the applicant's land ownership. Should the applicant require access to Network Rail land then must seek approval from the Network Rail Asset Protection Team. Any unauthorised access to Network Rail land or airspace is an act of trespass and we would remind the council that this is a criminal offence (s55 British Transport Commission Act 1949). Should the applicant be granted access to Network Rail land then they will be liable for all costs incurred in facilitating the proposal.

Access to the Railway

All roads, paths or ways providing access to any part of the railway undertaker's land shall be kept open at all times during and after the development.