

<u>Location:</u>	Land At Mill Lane London Road St Ippolyts Hitchin SG4 7NN
<u>Applicant:</u>	Alice Lack
<u>Proposal:</u>	Erection of up to 41 dwellings with associated infrastructure and open space (all matters reserved except means of access) (additional and amended plans received 23/04/26 and 10/06/26).
<u>Ref. No:</u>	25/02885/OP
<u>Officer:</u>	Anne McDonald

Date of expiry of statutory period: 23rd February 2026

Extension of statutory period: 14th August 2026.

Reason for Delay: Negotiations and awaiting consultation responses.

Reason for Referral to Committee: Residential development on a site in excess of 0.5 hectares (see paragraph 8.4.5 (a) of the Council Constitution)

1.0 **Planning Policy**

1.1 **North Hertfordshire District Local Plan (The Local Plan) 2011 – 2031**

Policy SP1: Sustainable Development in North Hertfordshire

Policy SP2: Settlement Hierarchy and Spatial Distribution

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, Landscape and Biodiversity

Policy SP13: Historic Environment

Policy T1: Assessment of Transport Matters

Policy T2: Parking

Policy HS2: Affordable housing
Policy HS3: Housing mix
Policy HS5: Accessible and adaptable housing
Policy D1: Sustainable Design
Policy D3: Protecting Living Conditions
Policy NE1: Landscape
Policy NE2: Green Infrastructure
Policy NE4: Biodiversity and geological sites
Policy NE6: New and improved open space
Policy NE7: Reducing Flood Risk
Policy NE8: Sustainable Drainage Systems
Policy NE10: Water Framework Directive and wastewater infrastructure
Policy HE1: Designated Heritage Assets
Policy HE4: Archaeology

1.2 National Planning Policy Framework (NPPF) (December 2024)

Section 2: Achieving sustainable development
Section 4: Decision making
Section 5: Delivering a sufficient supply of homes
Section 8: Promoting healthy and safe communities
Section 9: Promoting sustainable transport
Section 11: Making effective use of land
Section 12: Achieving well-designed 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

1.3 Supplementary Planning Guidance

Vehicle Parking at New Development SPD (2011) (Plus Appendix 4 in North Herts Local Plan 2011 – 2031)

Sustainability SPD (2024)

1.4 Neighbourhood Plan

There is no Made Neighbourhood Plan for the Parish of St Ippolyts.

2.0 Relevant site history

- 2.1 A pre-app submission (25/01424/PRE) was made seeking a view on whether the land would be considered Grey Belt for residential development. This concluded that depending on whether a heritage objection could be overcome, the land may be able to be considered as Grey Belt.
- 2.2 TPO/00226(2026) – a TPO has been served on the land. This was confirmed by Planning Control Committee at its meeting on 18/06/26.

3.0 **Representations**

- 3.1 **Anglian Water** – no objection subject to informatives. Anglian Water states that based on the assessment of the proposal, Ashbrook WRC is within the acceptance parameters and can accommodate the flows from the proposed development. They stated that there are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary but they recommend that the applicant carries out a thorough investigation of the site area to establish whether any unmapped public or private sewers and lateral drains are in existence.
- 3.2 **Thames Water** – no comment as the site is outside of our area.
- 3.3 **NHS Hertfordshire and West Essex** – no objection subject to a S106 Agreement contribution towards supporting and expanding GP provision.
- 3.4 **Hertfordshire Constabulary Crime Prevention** – no objection subject to an informative.
- 3.5 **HCC Lead Local Flood Authority** – ‘this is an outline application for 41 houses with all matters reserved except for access. We understand that the proposed method of surface water discharge is through infiltration via 2 infiltration basins. We welcome that this application has the potential to reduce the flood risk because of the proposed drainage strategy in the Flood Risk Assessment. We have no objection subject to conditions’
- 3.6 **HCC Highways** – no objection subject to conditions and a S106 contribution towards sustainable transport. This is detailed below in the report.
- 3.7 **HCC Archaeology** – no objection subject to conditions.
- 3.8 **HCC Ecology officer** – no objection subject to conditions.
- 3.9 **HCC Minerals and Waste Team** – no objection subject to conditions.
- 3.10 **HCC Fire and Rescue** – the provision of fire hydrants will be required.
- 3.11 **HCC Growth & Infrastructure** – no objection subject to S106 contributions and that advises that HCC will be seeking financial contributions to relevant HCC services (see paragraph on S106 obligations below).
- 3.12 **NHDC Tree and Landscape Officer** – objects to the application:
 - 1. The TPO covers a group of trees to the North of the site identified as G4 in the TPO Schedule. The trees in G4 were identified for TPO protection because of the amenity they contribute to this end of the site collectively as a group. These trees provide a buffer from the proposed new development, highly valued by residents of existing properties along Mill Lane and provide an important landscape feature.
 - 2. The location for proposed access to the site from London Road and Mill Lane is within the area occupied by G4 and would see the loss of a large proportion of this group to facilitate the development.
 - 3. If no other access routes that avoids the trees entirely are viable, it may be acceptable to allow the removal of a few individuals within this group, (mitigated by replacement planting), to accommodate alternative access design that retains the majority of trees.

4. It is considered important to retain the overall appearance of the group in this area and in particular the majority of the larger principal trees. The smaller poorer specimens are more easily replaced by new planting.
5. The proposed development includes the retention of almost all trees in other parts of the site, which is commendable, but also sees removal of many mature trees in the area covered by G4 of the TPO. This is considered excessive and detrimental to the character and appearance of the surrounding landscape.
6. I recommend that alternative solutions to access are explored, ideally avoiding these trees completely, in order to retain the tree cover provided by G4, that is considered highly important in terms of amenity and environmental benefits to the local area.

3.13 **NHDC Conservation Officer** – there is no objection. The scheme will satisfy the provisions of Sections 16(2) (LBC) and /or 66(1) (FP/FPH) and/or 72(1) (both) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the aims of Section 16 of the NPPF and Policy HE1 of the North Hertfordshire Local Plan 2011-2031.

3.14 **NHDC Environmental Health** – no objection subject to conditions.

3.15 **NHDC Housing Officer** – provides comments. In summary these are:

1. in the Green Belt, based on the provision of 41 new homes and a 50% affordable housing requirement the affordable housing requirement would be 21 dwellings (41 x 50% =20.5 rounded up): 14 social rented and 7 other intermediate affordable/ affordable home ownership housing tenure.
2. The 2023 North Herts & Stevenage Strategic Housing Market Assessment (SHMA) update for the 65% rented tenure shows the following mix best meets housing need:

14 x 7% x 1 bed flats (1)
 14 x 9% x 2 bed flats (1)
 14 x 22% x 2 bed houses (4)
 14 x 50% x 3 bed houses (7) *
 14 x 10% x 4 bed houses (1)
 14 x 2% 5+ bed houses. (0)

(*Evidence from the Council's housing register suggests the number of three bed houses suggested in the SHMA is greater than required and there is greater need for two bedroom family homes and a need for larger family homes (4+ bedrooms)).

3. For the 35% affordable home ownership tenure the 2023 SHMA shows the following mix best meets housing needs:

7 x 22% x 1 bed flats (2)
 7 x 15% x 2 bed flats (1)
 7 x 43% x 2 bed houses (3)
 7 x 20% x 3 bed houses (1).

3.16 In addition, there is a growing need for larger (3 and 4 bed) M4(3) wheelchair accessible homes which we will seek to deliver through the requirements of Policy HS5: Accessible and adaptable housing.

3.17 **CPRE Hertfordshire** – objects on the basis that the site is within the Green Belt, is not an allocated housing site in the Local Plan and does not comply with the requirements to be considered Grey Belt land as this would result in urban sprawl to the south of Hitchin.

3.18 **St Ippolyts Parish Council** – object for the following reasons:

1. The site is within the green belt and plays a vital role in preventing urban sprawl preserving the open countryside, the proposal conflicts with policies protecting Green Belt land under the National Planning Policy Framework (NPPF), the site was not identified as a sustainable location in the Local Plan and should not be classified as grey belt.
2. The scheme fails to meet mandatory Biodiversity Net Gain (BNG) requirements on-site and shows a significant loss of habitat and loss and deterioration of woodland.
3. Infrastructure concerns fail to be addressed by this scheme, there would be increased traffic on Mill Lane, a very narrow single rural country lane and oversubscription at St Ippolyts School would result in an increase in traffic as there is no alternative primary school within walking distance.

3.19 On the amended plans St Ippolyts Parish Council still object to the development for the above reasons but do state they are pleased to see the removal of buildings from the eastern parcel and the improved roundabout layout.

3.20 **Hitchin Forum** – both object to and support aspects of the application:

1. The land concerned is Green Belt and one of the requirements of the Green Belt is to maintain the separation between towns and villages. In this case the land concerned separates Hitchin and Gosmore.
2. Concern about increase in traffic local from this and other nearby development – Pound Farm and Waterdell Lane.
3. We object to the loss of trees.
4. Should the proposals be approved in the future, we welcome the intention to leave significant areas as public open space free for public access.
5. We support 50% affordable housing.

3.21 The application has been advertised with site and press notices and neighbour notification letters. At the time of writing there have been two replies received in support and 40 objections. Key points raised:

Support:

1. Swift bricks or nesting boxes must be included if these houses are built.

Object:

1. With 6 other development sites in the village and the solar farm there is no village left.
2. There are already two building sites on London Road providing 136 new homes.
3. The area is already over developed.
4. The village does not need any more 5 bedroom houses.
5. There is no market for any more houses in the village.
6. There is a lack of infrastructure in the village. Including WiFi.
7. The local school is full and there is no space to extend it.

8. The doctor and dentist are full and there are no plans to extend these even with all the new homes already being built.
9. There has been no increase in local provision / facilities since the mid-1990s and this will make things worse.
10. The construction will harm the amenity of the nursing home.
11. Traffic will be even worse and very bad during the rush hour often at a standstill and this will make it worse.
12. There will be increased danger to pedestrians including school children.
13. The local bus service is minimal.
14. People will mainly use their cars and building here is not sustainable.
15. Mill Lane will be sued as a dangerous rat run.
16. Object to the loss of trees and the harm on the wildlife.
17. The UK is experiencing a significant and ongoing loss of biodiversity.
18. The application sets out that this is medium-high distinctive habitat for wildlife. It should not be developed.
19. There are protected species, including bats, on this land / in these trees.
20. This is a living landscape and should not be harmed.
21. The new lighting will harm the bats and they will disappear and the new hardstanding will destroy the insects they feed on.
22. The western field, is one of the most wildlife-rich parts of the site. Turning it into managed open space with footpaths and lighting will drive away the very species the documents claim to protect.
23. The construction phase and the dust from it is dangerous to public health.
24. Mill Lane is narrow and cannot be used for access to build 4 houses off it.
25. This development would also fundamentally change the character of nearby houses and neighbouring villages. The quiet, rural outlook residents currently enjoy would be replaced with a dense
26. The applicant talks about "green infrastructure" and "ecological enhancements", but this is already a rich, functioning ecosystem. Replacing natural habitat with SuDS basins, mown grass, and play trails is not enhancement-it is a downgrade.
27. This is Green Belt and this development is inappropriate development and no very special circumstances have been provided.
28. This is not an allocated housing site in the Local Plan.
29. The need for new homes does not justify the harm this development would have.
30. This site stops the urban sprawl of Hitchin.
31. This site preserves the open countryside and enhances the rural character of St Ippolyts and Gosmore.
32. This will urbanise St Ippolyts.
33. The is green field land and should not be considered as grey belt.
34. The development will alter the rural character of the area and impact the views from the Grade II listed Pound Farm.
35. The diversion of Mill Lane through the development introduce an urban street design into a rural setting and increase traffic on this rural road.
36. There will be adverse impact on the local community of St Ippolyts.
37. 2.5 storey development is harmful to the local character of the area.
38. Mill Lane is subject to flash flooding and this development could make it worse.
39. I enjoy walking my dog in Mill Lane and there are not many places to move out of the way of traffic and this development will make that worse.
40. This development will harm my mental health.
41. It will harm the setting of the listed Mill Farm. The proposal conflicts with Local Plan Policies for Green Belt protection.

42. Transport mitigation, community infrastructure responsibility, projection of open space and preservation of landscape and should be refused.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 The application site comprises two fields on which lie to the south side of Mill Lane and west side of London Road on the south side of Hitchin. The fields have narrow connecting section, rear of the Sloe Hill Residential nursing home which is on the south side of Mill Lane. Whilst the land is open countryside, there are a number of mature trees within the site. These are grouped in the northern corner of the site, towards the Mill Lane / London Road junction, and rear of the nursing homes and then scattered through the western side of the site.
- 4.1.2 The land is outside of the settlement boundary of Hitchin, within the Green Belt. There is the recently approved tree preservation order, TPO/00226(2026) which protects four individual and four groups of trees on the land and there are two nearby listed buildings. These are Mill Farm on Mill Lane, and Pound Farm on London Road. The land levels fall to the south, with the change in levels being more apparent on the London Road side of the site with the levels along Mill Lane being flatter.

4.2 **Proposal**

- 4.2.1 This is an outline application for the residential development of the site with up to 41 dwellings, with all matters apart from access being reserved. Therefore, this application is seeking a determination regarding the principle of residential development on this land.
- 4.2.2 Submitted with the application are a site location plan, development parameters plan, illustrative master plan, development framework plans and highways access plans. The illustrative master plan shows that the dwellings located on the east side of the site with an access off London Road and that the development will be a maximum of two storeys in height. The access is to be a fourth arm off the roundabout approved for the Pound Farm development on the east side of London Road, with a link road on the north side of the site connecting to Mill Lane. This will then from the route for traffic on Mill Lane, with the junction of Mill Lane and London Road being closed. The area of the land on the south side of the eastern part of the site and the land on the west side of the site are to remain as open land with public access through the land.
- 4.2.3 The following documents have been submitted in support:
1. Design and Access Statement parts 1, 3 and 4;
 2. Planning Statement;
 3. Transport Statement parts 1 and 2;
 4. Geo-Environmental Desk Study parts 1 – 11;
 5. Arboricultural Impact Assessment;
 6. Utility Study level 2;
 7. Flood Risk Assessment;
 8. Landscape and Visual Impact Assessment;
 9. Energy and Sustainability Statement;

10. Preliminary Ecological Assessment;
11. BNG Net Gain Assessment, BNG Design Stage and BNG Metric;
12. London Road Hitchin, Designers Response to RSA;
13. LLFA consultation response;
14. Transport Update and response note.

4.2.4 Key points raised from these documents include:

Planning Statement:

1. Written pre-application advice was received from the Council on 18 July 2025. The Council confirmed that the site lies within the Green Belt. However, the proposal puts forward the case that it qualifies as 'Grey Belt' land that does not strongly fulfil key Green Belt purposes, as defined in the National Planning Policy Framework and supported by Planning Practice Guidance criteria. The Council's response acknowledges that the site makes only a moderate contribution to the Green Belt, particularly in relation to preventing the sprawl of Hitchin. The main concern identified relates to heritage, and the Council suggests that if this issue can be resolved, there would be no reason the site could not be regarded as Grey Belt. The response also highlights the District's current shortfall in housing supply, and notes that the delivery of new homes would weigh in favour of the development when balanced against its moderate Green Belt role.
2. The proposed development seeks outline planning permission for the following:
 - Development of up to 41 residential dwellings;
 - A policy compliant 50% affordable housing;
 - Delivery of green infrastructure and public open space on the western parcel to serve the wider community.
3. The existing boundary vegetation will be retained where possible, however some trees will need to be removed. Any loss will be compensated through new native tree, hedge, and thicket planting to strengthen site boundaries and enhance new public spaces.
4. A recreational route has been designed around the site, providing residents with an informal walking path. Naturalistic trim trail equipment will be placed along the path to add opportunities for play.
5. The development will deliver biodiversity enhancements to achieve the highest possible level of biodiversity on site. This includes a +44% gain in hedgerow units. While significant biodiversity enhancements are being implemented, it is not possible to achieve a net gain of 10% solely on site for habitat units. Therefore, the required shortfall will be delivered through off-site measures.
6. Vehicular access to the development will be taken from the proposed roundabout on London Road (B656) which functions as a secondary distributor road with a 30mph speed limit. The three-arm roundabout, approved to serve the opposite development, will be upgraded to a four-arm junction to serve the site.
7. Pedestrian and cycle access will be incorporated into the new fourth arm of the roundabout, with a footway provided on its northern side. This will connect northwards to new bus stops located beyond the Mill Lane/London Road junction. Safe crossing of the northern arm of London Road will be achieved via a dropped kerb with central refuge, linking to the shared footway/cycleway on the eastern side of the road. This route provides access to local services and facilities in Hitchin to the north.
8. The proposal seeks to divert Mill Lane through the site, with Mill Lane stopped up to vehicular traffic at the existing junction with London Road. Instead, cars journeys would be directed through the site and would expect to use the roundabout to continue journeys.

9. A Landscape and Visual Impact Assessment (LVIA), prepared by CSA Environmental supports this planning application and concludes that the site is well related to the existing built edge of Hitchin and would represent a logical and contained extension to the settlement. The enclosed nature of the site, combined with new structural landscaping, will help integrate the development into the landscape. Any effects on landscape character or visual amenity would be largely limited to the site and its immediate context, with minimal impact on the wider area.
10. The site is known to support bats although no roosts had been identified at the time of the ecological assessments were undertaken. In line with best practice, inspections will be undertaken ahead of any tree removal should any unknown roosts be present.
11. A single common lizard was found on the site and care can be taken to ensure any lizard population is not disturbed by the development.
12. There is a need for some tree removal to support the proposal. The tree survey work has informed the layout and particularly the potential route of the internal road as it seeks to avoid the category A trees on the site.
13. Some category B and C trees would be removed as part of the proposal. The scheme does seek to replace some of the removed trees elsewhere on the site
14. The site lies wholly within flood zone 1. Given the size of the development, the application is accompanied by a Flood Risk Assessment. This has assessed the site in terms of all forms of potential flooding and also has informed the proposed drainage strategy for the proposed development.
15. The NPPF definition of Grey Belt confirms that matters listed within footnote 7 (which includes 'areas at risk of flooding or coastal change') would be excluded from being considered Grey Belt where application of policies would provide a strong reason for refusing and restricting development. The development would make no impact upon these areas of surface water flooding, and as such, this would not impact upon the potential for the site to be considered Grey Belt
16. The site is located adjacent to two existing listed buildings. To the eastern side of London Road is the grade II listed Pound Farmhouse. The supporting Archaeology and Heritage Desk-Based Assessment provides a more detailed description of the building but notes it is a two-storey building with an early/mid-19th century western façade to the front of an older building. There were concerns during the pre-application response regarding the setting of the building.
17. The application also considers archaeology potential at the site. The Pound Farm development to the east did not record any significant archaeological finds or features. However, there has been a previous find in the western parcel. The site is not currently suitable to allow for a geophysical survey given the level of planting. As such, the application is informed by the Desk-Based Assessment, which confirms that if required, trial trenching could be achieved through an appropriately worded condition.

4.3 Key Issues

- 4.3.1 The main issue in the determination of this application is whether the land is considered to be the Grey Belt land within the Green Belt and therefore suitable for residential development, and whether there are any other harms that would outweigh the planning benefit of delivering up to 41 new homes. As the application is outline, with all matters reserved apart from access, the only matters for consideration are the principle of development and the access.

Principle of development

- 4.3.2 The NPPF at section 13 sets out the national policy considerations for the protection of green belt land and the acceptable forms of development that can take place within green belts. Paragraph 143 states the five purposes of Green Belts are:

“Green Belt serves five purposes:

- a) to check the unrestricted sprawl of large built-up areas;*
- b) to prevent neighbouring towns merging into one another;*
- c) to assist in safeguarding the countryside from encroachment;*
- d) to preserve the setting and special character of historic towns; and*
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land”.*

- 4.3.3 Paragraph 154 states that development within the Green Belt is inappropriate development unless one the following exception applies.

“a) buildings for agriculture and forestry;

b) the provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;

c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;

d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;

e) limited infilling in villages; f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and

g) limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.

h) Other forms of development provided they preserve its openness and do not conflict with the purposes of including land within it. These are:

i. mineral extraction;

ii. engineering operations;

iii. local transport infrastructure which can demonstrate a requirement for a Green Belt location;

iv. the re-use of buildings provided that the buildings are of permanent and substantial construction;

v. material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and

vi. development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order”.

- 4.3.4 This proposal for 41 new homes does not fit within any of these exemptions. However, the December 2024 version of the NPPF introduced paragraph 155 which provides a further exemption to allow new homes, commercial and other development where all the following criteria are met. Paragraph 155 states:

“The development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where all the following apply:

- a. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;*
- b. There is a demonstrable unmet need for the type of development proposed;*
- c. The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework; and*
- d. Where applicable the development proposed meets the ‘Golden Rules’ requirements set out in paragraphs 156-157 below”.*

- 4.3.5 Grey Belt is defined within Annexe 2 (the glossary) of the NPPF where it is stated:

“For the purposes of plan-making and decision-making, ‘grey belt’ is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. ‘Grey belt’ excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development”.

- 4.3.6 The site is not previously developed land. Therefore, an assessment must take place as to whether the development of the land would strongly contribute to the of purposes (a), (b), or (d) in paragraph 143 of the NPPF and whether policies relating to areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development. The report will therefore now consider purposes (a), (b) and (d) of paragraph 143.

Purpose (a)

- 4.3.7 This states that Green Belts are to check the unrestricted sprawl of large built-up areas. The Government directs how green belt land should be assessed and quantified in the Planning Practice Guidance, Green Belts, dated 27/02/25, and how to identify grey belt land within the Green Belt. With regards to Purpose A, this guidance states that villages are not considered to be large built up areas and for land to make a strong or medium contribution to purpose A, it should have these features:

“Strong:

Assessment areas that contribute strongly are likely to be free of existing development, and lack physical feature(s) in reasonable proximity that could restrict and contain development.

They are also likely to include all of the following features:

- be adjacent or near to a large built up area*
- if developed, result in an incongruous pattern of development (such as an extended “finger” of development into the Green Belt)*

Moderate:

Assessment areas that contribute moderately are likely to be adjacent or near to a large built up area, but include one or more features that weaken the land’s contribution to this purpose a, such as (but not limited to):

- having physical feature(s) in reasonable proximity that could restrict and contain development*
- be partially enclosed by existing development, such that new development would not*

*result in an incongruous pattern of development
- contain existing development
- being subject to other urbanising influences”.*

- 4.3.8 In this instance, whilst the application site is within St Ippolyts, it is appropriate to regard this location as the urban edge of Hitchin, and to assess the site on this basis. The land is not developed. However, whilst the proposed application site comprises land to both the west and east of the Sole Nursing Home, only the east side of the land is proposed to be built on. Given that there is the existing development of the Sloe Hill Nursing Home, homes on Mill Lane and the new development under construction at Pound Farm and the Pound Farm itself, in my view, it can be concluded that there is existing development on three sides of this site. This proposal is to in effect fill this area and will not result in an incongruous pattern or finger of development extending out into the Green Belt. Furthermore, the proposed SUDs and open space on the south side of the site, which is open land in the location to protect the wider setting of the Pound Farm listed farmhouse opposite the site on London Road, results in the site having physical features that both restrict and contain the proposed development. As a result, the development on this eastern part of the site is concluded to have a moderate role in Purpose A of checking the unrestraining sprawl of the large urban area of Hitchin.

Purpose (b)

- 4.3.9 Purpose (b) sets an objective of preventing neighbouring towns merging into one another.
- 4.3.10 In this case, this site is on the south side of Hitchin. As villages are not included within this consideration as they are not towns, the next nearest town to the south of Hitchin if a straight line is taken, is Hatfield, as both Stevenage and Welwyn Garden City lie to the east of this 'straight' line. Given this distance is approximately 20 miles, the development of this field cannot be concluded to undermine the overall openness of the land between Hitchin and Hatfield.

Purpose (d)

- 4.3.11 Whilst Hitchin does have a historic town centre with a large Conservation Area and many listed buildings, this site is not within the immediate context of this historic core, and it therefore can be concluded that this site makes no contribution to the setting of the historic town.

Footnote 7

- 4.3.12 Footnote 7 of the NPPF states:

“The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 194) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, a National Landscape, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 75); and areas at risk of flooding or coastal change”.

- 4.3.13 Turning to the considerations of footnote 7 and excluding green belt as directed by the definition of the Grey Belt as set out in the glossary of the NPPF, there are not any of the

listed restrictions within the application site area. It is noted that there are two nearby listed buildings. One on Mill Lane and one on London Road. However, the Conservation Officer concludes no objection to this proposal. As a result, there are no objections raised to the proposal due to footnote 7 considerations.

Conclusion on land assessment against the definition of Grey Belt

- 4.3.14 The NPPF directs that for green belt land to remain as protected green belt land, the land must strongly contribute to purposes of (a), (b) and (c) of paragraph 143. As set out above it is concluded that the land makes a moderate contribution to purpose (a) and no contribution to purposes (b) and (c). There are also no restrictions with regards to the protected land designations as set out in footnote 7. As a result, the site is considered to be grey belt land for the purposes of paragraph 155 part (a). However, before a full grey belt conclusion can be reached, criteria (b), (c) and (d) of paragraph 155 also need to be assessed. These are:

Paragraph 155 (b) - There is a demonstrable unmet need for the type of development proposed;

- 4.3.15 The type of development proposed is new residential development. The Council is currently behind in its provision of housing land, with current five year land supply estimates being 2.6 years. As a result, it is concluded that there is demonstrable unmet need for this type of development.

Paragraph 155 (c) - The development would be in a sustainable location.

- 4.3.16 The development site is on the edge of Hitchin, within the parish of St Ippolyts. The shop and school of St Ippolyts are within walking distance of the site and there are footpaths along London Road leading into Hitchin. The town centre of Hitchin is about two miles from the site, which is an acceptable distance to walk or cycle for many people. There is also a bus route along London Road. As a result, the site is considered to be in a sustainable location

Paragraph 155 (d) - Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157.

- 4.3.17 Paragraphs 157 and 158 state:

"157. Before development plan policies for affordable housing are updated in line with paragraphs 67-68 of this Framework, the affordable housing contribution required to satisfy the Golden Rules is 15 percentage points above the highest existing affordable housing requirement which would otherwise apply to the development, subject to a cap of 50%60. In the absence of a pre-existing requirement for affordable housing, a 50% affordable housing contribution should apply by default. The use of site-specific viability assessment for land within or released from the Green Belt should be subject to the approach set out in national planning practice guidance on viability.

158. A development which complies with the Golden Rules should be given significant weight in favour of the grant of permission".

- 4.3.18 The application is proposing to meet a 50% affordable housing contribution. As this application is outline, the proposed unit sizes are not known at this time, and this will form part of the reserved matters for the site.
- 4.3.19 In conclusion, the application is considered to be grey belt land meeting the necessary criteria of paragraph 143 and 155 of the NPPF.

LUC Green Belt Review Assessment

- 4.3.20 As part of the evidence base for the updating of the current Local Plan 2011 – 2031 to the next plan period of 2025 – 2045, the Council has recently commissioned a joint Green Belt Assessment for East Herts, North Herts and Stevenage. This report has been prepared by LUC final report was published on the Council's website on 07/07/26. The background / parameters for this report are stated as:

1. The assessment reflects changes to Green Belt boundaries that have occurred since previous Green Belt studies. It also takes into account updates to the National Planning Policy Framework (NPPF), including the December 2024 introduction of the concept of 'grey belt' and the requirement for local authorities to review their Green Belt boundaries unless they can meet identified development needs in full.
2. The definition of grey belt is important because one of the main purposes of the Green Belt assessment is to determine the extent to which land within the Green Belt contributes to the purposes (a-e) set out at paragraph 143 of NPPG. In turn, this is then used to identify grey belt land that does not make a strong contribution to purposes (a), (b) or (d).
3. With regard to development proposals, if these are grey belt, and are not inappropriate development, substantial weight does not need to be given to any harm to the Green Belt, including to its openness.
4. Authorities must identify an appropriate scale of Green Belt assessment that delivers clear variations in contribution to the Green Belt purposes, assessing all Green Belt land within a Plan area in the first instance and responding to local circumstances.
5. Local circumstances may dictate, for example, the need for smaller assessment areas in areas where there is greater variation in contribution to the Green Belt purposes, or greater potential for sustainable development, such as around existing settlements or public transport hubs or corridors.
6. Villages should not be defined as large built-up areas, towns or historic towns. Where there are no historic towns in or adjacent to a plan area, it may not be necessary to provide detailed assessments against Purpose D.
7. The PPG states that when assessing Green Belt, local planning authorities must identify an appropriate scale of Green Belt assessment, to allow for recognition of variations in contribution to the Green Belt purposes.
8. This study encompasses all of the Green Belt within East Herts, North Herts and Stevenage.
9. LUC's approach to parcelling of this Green Belt is such that parcels are not predefined but instead use an analysis process to identify variations in contribution to the purposes, with areas being subsequently defined to reflect those variations. As such, the defined assessment areas form part of the final product of the assessment, reflecting and responsive to the range of variations in contribution to the Green Belt purposes
10. The number of parcels resulting from the analysis process is influenced by setting a minimum parcel size. The larger the minimum parcel size, the greater the likelihood that

smaller areas may exist within a parcel that performs differently in relation to one or more of the Green Belt purposes than the parcel as a whole.

11. In order to reduce the likelihood of more localised variations in Green Belt contribution and to increase the value of outputs to inform site assessments used for plan-making and decision-taking, the minimum parcel size for the assessment was set at one hectare.

- 4.3.21 As set out in the section above setting out the objectives of the study, the report divides the Green Belt land into parcels. The parcel that this site is within is parcel HS7, as can be seen from this map:



- 4.3.22 The conclusions from this report are that for HS7:

1. the land area of this parcel is 29 hectares;
2. it has a strong contribution to purpose A;
3. a weak or no contribution of purpose B;
4. a moderate contribution of purpose C;
5. a weak or no contribution of purpose D;
6. an equal contribution of purpose D;
7. is not Grey belt land.

- 4.3.23 This application site is a smaller area within the over parcel identified in the LUC report as area HS7. The application site area as a whole is 3.39 ha and as the development area is contained within the east side of the site, the development area proposed is 1.06 ha. Given the overall size of parcel HS7 is 29 ha, in my view, the development of 1.06 ha of land within HS7, does not undermine or conflict with the conclusions of the LUC report of parcel HS7 as whole. Therefore, it can be concluded that the east side of the application site can still be considered to be grey belt land within the Green Belt that does not undermine the purposes of the Green Belt or the conclusions of the LUC report.

Access

- 4.3.24 Policy T1 of the Local Plan says planning permission will be granted for developments provided that the development would not lead to highway safety problems or cause unacceptable impacts upon the highway network, alongside mechanisms to secure any necessary sustainable transport measures and / or improvements to the existing highway network.
- 4.3.25 This application is proposing the creation of a fourth arm off the roundabout approved as a three-arm roundabout for the development under construction at Pound Farm. Inside the site, this new road will split, with a branch to the south to access the site and a link to the north connecting with Mill Lane. The existing junction with Mill Lane and London Road will be closed, and all traffic using Mill Lane will connect through the site and access London Road via the roundabout. HCC Highways are in support of this proposed road layout and on this basis the proposal is considered to comply with the requirements of Local Plan Policy T1.

Landscaping

- 4.3.26 Policy NE2 sets out that development proposals should respect the sensitivities of the relevant landscape character area and have regard to the guidelines identified for built development and landscape management. Whilst Policy NE6 requires development make provision for new open space which meets the needs arising from the development and Policy D1 requires the incorporation of SuDS, and the retention of existing vegetation with proposed appropriate new planting, both of which are landscaping considerations.

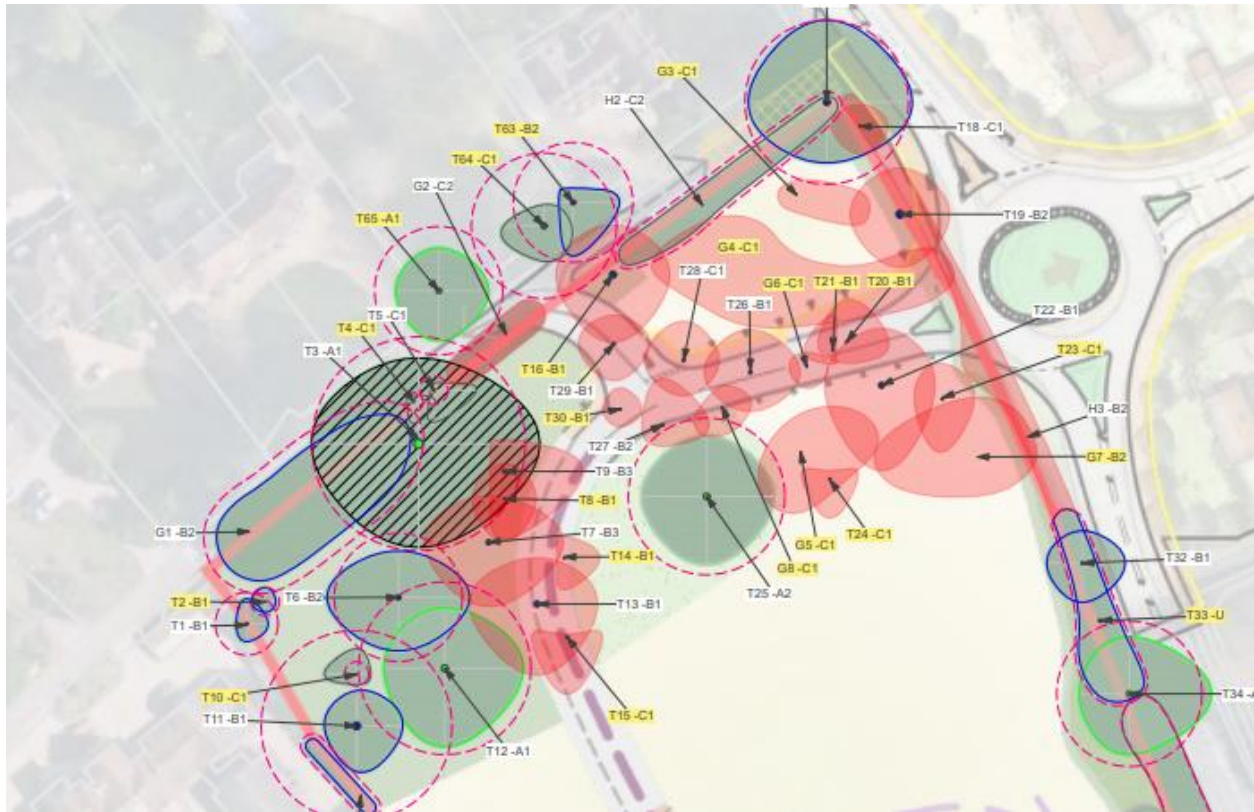
Trees

- 4.3.27 This application is proposing to keep the west side of the site free of development, and to enhance the landscape and provide public access to this area. The south side of the eastern parcel is also to remain free from development, with planting along the southern boundary enhanced.
- 4.3.28 However, a recent Tree Preservation Order (TPO/00226(2026)) has been approved (at Planning Control Committee on 18/06/26) and served. In my view it is correct that this TPO was served, even with this application under consideration, in the event that this application is refused or approved and then not built out or built out and there are future residents on the site, it gives protection to the trees in the long term. TPO/00226 protects the following trees:
- T1 - Hornbeam,
 - G1 - 3x Hornbeam,
 - G2 - 3x Oak,
 - G3 - 2x Hornbeam & 1x Sycamore, T2 Lime, T3 Oak,
 - G4 - 5x Horse Chestnut, 3x Oak, 7x Walnut, 12x Lime,
 - T4 - Field Maple

4.3.29 In these locations:



4.3.30 This outline application includes access, and the proposed access is to create a fourth arm off the roundabout that has been approved for the Pound Farm development opposite on the east side of London Road. Inside the site the access splits, with one road to link down to the south to access the land within the eastern parcel, and one road to link north to Mill Lane. The existing junction with Mill Lane and London Road is to close. The northern link is proposed through the trees now protected at G4 and this application is proposing the loss of a number of these trees to allow this access. This can be seen from this map submitted in the Arboricultural Impact Assessment:



4.3.31 The red trees are trees to be removed and this plan shows that 23 trees are to be removed from the G4 area to allow this access. The Arboricultural Impact Assessment report sets out that 14 of these trees are graded as category B trees of moderate quality where retention is desirable, with the rest of the trees to be removed being category C trees of low quality. When the trees identified to be felled are compared to the trees protected by G4 of the TPO, three protected horse chestnut trees and one oak tree are proposed to be felled. The rest of the trees shown to be felled are not protected by the TPO G4 group, and the remaining identified trees with the G4 group are retained.

4.3.32 The application therefore needs to assess whether the planning benefit of the delivery of up to 41 new homes outweighs the harm of the loss of 24 trees, of which four have tree preservation order protection. As directed by the NPPF paragraph 11d) planning decisions have to give weight (the tilted balance) to the delivery of new homes, unless the harm would significantly and demonstrably outweigh the benefits. Footnote 7 of the NPPF gives protection to National Landscapes, SSSIs and wildlife sites, but it does not give protection to groups of trees or protected trees. Given that within the G4 area, many trees would still be retained, along with the trees around the field edge boundaries, large trees within the site and all the trees on the west side area are retained, and new planting and landscaping can be planted as compensation for the loss of these trees, it is my view that a refusal of this application based on the loss of these trees could not be substantiated in an appeal situation. I therefore have to conclude that the planning benefit of the delivery of up to 41 new homes does outweigh the harm of the loss of the trees. As this is an outline application, landscaping and replacement planting details are a reserved matter and not provided at this time.

Landscape impact

4.3.33 A further consideration of the application when landscaping is assessed, is the visual impact the development would have in the locality. The application is submitted with a Landscape and Visual Impact Assessment and Green Belt Assessment. The local context of the site is one with well screened boundaries along London Road and Mill Lane. As a result, the site is fairly well screened in many views from London Road and Mill Lane. The report states:

1. In terms of landscape susceptibility, this is judged against the type of development proposed, in this case a relatively small scale residential development focused in the eastern parts of the Site with associated open space in the south and in the western field. Development of the Site would be well related to the existing settlement edge of Hitchin including currently under construction housing to the east of London Road. The boundary vegetation and mature field trees are key landscape features that should be retained where possible and incorporated into areas of new open space.
2. The character of the Site will change from that of grassland fields to a new housing development with associated open space, although this is an inevitable consequence when considering any housing development on the settlement edge.
3. The new housing would not be out of character in this location, being well related to built form to the north and currently under construction housing to the north east, on the opposite side of London Road.
4. The majority of the Site's existing boundary vegetation will be retained and new structural planting will bolster this and assist in containing the new built form. Effects will therefore be largely limited to the Site and immediate surroundings, with effects on the wider landscape being limited.
5. Land to the north east of the site, east of London Road, has planning consent for 84 dwellings (application ref: 21/00434/HYA) including a new roundabout junction off London Road. Once built out will extend the built edge of Hitchin southwards, to roughly align with the midpoint of the site.
6. The proposals look to retain the vast majority of boundary vegetation and extensive new planting is proposed, which together with surrounding woodland, will ensure the housing is contained in views from the wider landscape.
7. There will a localised cumulative effect on the local landscape resulting from both schemes, although this will be localised on account of the well contained nature of both sites, with limited impact on the wider landscape. Cumulative visual effects will be limited to users of London Road and Mill Lane and a small number of neighbouring residential properties, where both development sites would be visible. These cumulative effects will all reduce over time as new planting to both sites matures.
8. The proposal is for a medium density residential development with associated lighting. The development is not anticipated to give rise to any abnormal night time effects and will result in a small increase in background lighting levels which will be seen in the context of existing lighting within the neighbouring residential area and along London Road to the east.

4.3.34 In conclusion, in terms of landscape impact, the proposal will have a low adverse impact in the context of the locality, that will be largely screened by existing and proposed trees and landscaping. The application is therefore considered to be in accordance with the aspirations of Local Plan Policy NE2, and no objection is raised on this basis. This weighs as a limited harm in the planning balance.

BNG

4.3.35 Local Plan Policy NE4 requires for proposal to appropriately protect, enhance and manage biodiversity and for all developments to deliver a measurable net gain for biodiversity. Whilst the Environment Act 2021 goes further, requiring for a 10% increase in habitat value over a mandatory 30 year time period.

4.3.36 Submitted in support of the application is a BNG metric and Biodiversity Net Gain Assessment. Even though the application is outline with most matters reserved at this time, due to the access being a consideration of this application, it is appropriate to assess BNG as part of this application. The Biodiversity Net Gain Assessment summaries:

“A net loss of biodiversity is predicted for the proposed development in respect of Habitat Units (-5.63 Habitat Units, -24.55%), with a gain of Hedgerow Units (2.32 Hedgerow Units, 44.37%). This is subject to retention and enhancement of on-site grassland, woodland and hedgerow habitats, in addition to habitat creation including SuDS basins and new native tree, thicket and hedgerow planting. An overall net gain in biodiversity of at least 10% will be achieved through off-site offsetting”.

4.3.37 The Council's Senior Ecologist raises no objection to the application subject to conditions to ensure that the appropriate measures to ensure BNG mitigation is achieved, and these conditions are recommended. This weighs as neutral in the planning balance.

Design

4.3.38 Local Plan Policy SP9 states that the Council considers good design to be a key aspect of sustainable development, and this is supported by Policy D1 which sets out that planning permission will be granted provided that development proposals respond positively to a site's local context alongside other measures. As this is an outline scheme with all matters apart from quantum of development and access reserved, design will be a consideration as the reserved matters stage. A condition is recommended limiting the new homes on the site to a maximum of two storey in height to fit in with local context. This weighs as neutral in the planning balance

Flood risk and drainage

4.3.39 Local Plan Policies NE7 and NE8 seek to ensure that new development is located outside of medium and high risk floods area and that new development must incorporate sustainable drainage systems. The site is not in a medium or high risk zone for flooding and the proposed illustrative masterplan shows a SUDs basin next to the site entrance to allow for drainage from the roundabout and a SUDs basin in the southern end of the site to allow for drainage from the site. The HCC LLFA team raise no objection to the application subject to conditions, which are recommended. This weighs as neutral in the planning balance.

Planning Obligations

4.3.40 North Herts Council has adopted a Planning Obligations Supplementary Planning Document and Hertfordshire County Council has adopted a Guide to Developer Infrastructure Contributions (July 2021). Both Authorities are mindful of the tests for S106

legal agreements that are set out in regulation 122 and 123 of the Community Infrastructure Levy Regulations 2010 as amended. The tests are that any planning obligations must be:

1. necessary to make the development acceptable in planning terms;
2. directly related to the development; and
3. fairly and reasonably related in scale and kind to the development.

4.3.41 Any requests that do not meet the above tests will not be actively sought by the Council or HCC. At the time of writing all the contributions are agreed apart from the Sustainable Transport and sports pavilion project contributions. An update will be provided at the Committee meeting. The proposed contributions are:

HCC Contributions		
Sustainable transport	Contribution to be pooled towards scheme SM210, package 15 of the South Central GTP B656 sustainable transport corridor	£404,301.00 (indexed linked by SPONS from March 2024)
Primary education	Towards expansion of St Ippolyts Primary school and/or other provision	Indicative £304,165.00 (indexed linked to BCIS 1Q2024 and BCIS Regional Factor).
Secondary education	Towards expansion of This Priory Secondary school and /or other provision	Indicative £316,173.00 (indexed linked to BCIS 1Q2024 and BCIS Regional Factor).
Childcare – 0-2	Towards increasing capacity of 0-2 year old childcare facilities at North Herts Rural west Family Centre Reporting Locality and / or other provision	Indicative £6,384.00 (indexed lined to BCIS 1Q2024).
Childcare – 5-11	Towards increasing the capacity of 5-11 year old childcare facilities at St Ippolyts Primary school and / or other provision	Indicative £416.00 (indexed lined to BCIS 1Q2024).
SEND	Towards new severe learning difficulty special school places (East) and / or other provision	Indicative £69,664.00 (indexed linked to BCIS 1Q2024 and BCIS Regional Factor).
Library service	Towards increasing capacity at Hitchin library and / or other provision	Indicative £10,682.00 (indexed lined to BCIS 1Q2024).
Youth service	Towards resource requirements to support the delivery of youth work with	Indicative £5,030.00 (indexed lined to BCIS 1Q2024).

	young people in the area and / or other provision	
Waste – recycling centre	Towards increasing capacity at Letchworth Recycling Centre or a new centre at Baldock and / or other provision	Indicative £7,647.00 (indexed lined to BCIS 1Q2024).
Waste – transfer station	Towards the new Northern Transfer Station and / or other provision	Indicative £10,694.00 (indexed lined to BCIS 1Q2024).
Fire and Rescue	Towards new appliances and / or equipment and /or other provision	Indicative £1,020.00 (indexed lined to BCIS 1Q2024).
Monitoring fees	Based on the number of triggers with each distinct trigger point attracting a charge of £420.	(to be index linked)
NHDC		
Affordable housing	50% provision due to NPPF	21 dwellings. 14 social rented and 7 other intermediate / affordable tenure
Monitoring fee	2.5% of the value of the contributions being monitoring with a minimum of £750 and a cap of £25,000. (NB this is being reviewed and may change).	(to be index linked)
Other		
NHS	Towards the provision of additional space for GP surgeries	£68,552.00 (indexed linked from the date of the planning permission).
St Ippolyts Parish Council	Towards the sports pavilion project	£119,000.00 (to be index linked)

Other matters

- 4.3.42 The matters of full BNG, layout, design, parking, bin storage, dwelling mix and size, amenity considerations, full landscaping details, energy and sustainability and archaeology are all reserved at this time and therefore are not a consideration of this application.
- 4.3.43 However, the impact of the development on the wider setting of the nearby listed buildings is a consideration of this application. The development on Mill Lane has been removed, so there will be no impact on the setting of Mill Farm. With regards to Pound Farm on London Road, given the spacing with London Road which acts as a clear front boundary to Pound Farm, along with the east side boundary of the site which has existing trees along it which will be enhance by additional planting which will provide for effective screening, it is not considered that there would be unacceptable impact or harm on the

setting of the Grade II listed Pound Farm. The Conservation Officer raises no objection to the application. This weighs as a neutral impact in the planning balance.

Conclusion

- 4.3.44 The Green Belt assessment of this report forms a conclusion that the eastern side of the site can be considered to be Grey Belt and on this basis there is no objection to the development of up to 41 new homes on the eastern parcel within the Green Belt. As set out above, there is an objection to the impact of the proposal on protected trees and the low impact on the landscape, but when the tilted balance is engaged, the harm from the loss of the trees to allow the access to link to Mill Lane, is not considered sufficiently strong to outweigh the benefit of the delivery of up to 41 new homes. The application is therefore recommended for approval on this basis.

Alternative Options

- 4.3.45 None applicable

5.0 Legal Implications

- 5.1 In making decisions on applications submitted under the Town and Country Planning legislation, the Council is required to have regard to the provisions of the development plan and to any other material considerations. The decision must be in accordance with the plan unless the material considerations indicate otherwise. Where the decision is to refuse or restrictive conditions are attached, the applicant has a right of appeal against the decision.

6.0 Recommendation

- 6.1 That planning permission be GRANTED subject to the provisions below and the recommended conditions and informatives:
- A) Delegate to the Development and Conservation Manager the agreement of the two outstanding S106 HoT contributions and any minor change to conditions and informatives as required;
 - B) The completion of the S106 Legal Agreement;
 - C) Any necessary EoT to cover the time taken to complete (B) above.
1. Before the development hereby permitted is commenced, approval of the details of the layout, siting, design and external appearance of the development, the landscaping and drainage of the site and BNG matters (hereinafter called "the reserved matters") shall be obtained in writing from the Local Planning Authority.

Reason: To comply with the provisions of Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 as amended.

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

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

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

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

4. A) No demolition/development shall take place/commence until an Archaeological Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of archaeological significance and research questions; and:
 1. The programme and methodology of site investigation and recording
 2. The programme and methodology of conservation, 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.

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 (A)

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 (A) and the provision made for analysis and publication where appropriate.

Reason: To protect any archaeological finds at the site. LP Policy HE4.

5. No development shall take place until an Ecological Enhancement Plan (EEP) for the creation of new wildlife features such as the inclusion of integrated bird/bat and bee boxes in buildings/structures, and hedgehog holes in fences has been submitted to and approved in writing by the local planning authority. Where building heights allow swift bricks should be used. The approved measures must be Implemented on site prior to occupation and retained on site thereafter.

Reason: To protect wildlife and bio-diversity. LP Policy NE4.

6. A lighting design strategy for biodiversity for the site shall be submitted to and approved in writing by the local planning authority. The strategy shall;

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

b) show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To protect wildlife and bio-diversity. LP Policy NE4.

7. No development shall take place (including ground works or vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) should be informed by the November 2025 Ecological Impact Assessment and 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) The location and timing of sensitive works to harm to biodiversity features.

e) 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 protect wildlife and bio-diversity. LP Policy NE4.

8. Vehicular Accesses and Internal Roads to be adopted:

No development shall commence until detailed engineering drawings and specifications have been submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority. These details shall include:

o The design and construction of the proposed fourth arm of the approved access arrangement associated with the Pound Farm development on London Road;

o secondary access minor access off Mill Lane.

o The layout and construction of internal roads intended for adoption as public highways;

o Provision of footways and cycleways;

o Measures to ensure the safe and efficient movement of refuse collection vehicles;

o Pedestrian crossing facilities, including refuge islands, designed in accordance with the approved Road Safety Audit; and

o Appropriate visibility splays onto London Road.

The submitted details shall accord with the principles shown on drawings (Ref: 70056409 SK 006 Rev P06, 70056409 SK 008 P01, 70056409 SK 009 P01, and 70056409 SK 010 P01).

All approved works shall be constructed to the specifications and satisfaction of both the Local Planning Authority and the Highway Authority. The works shall be completed in full prior to the first occupation of any dwelling hereby permitted and shall be secured through appropriate Section 278 and Section 38 Agreements with the Highway Authority.

Reason: To ensure residents and visitors of the development have the realistic option of travelling by local bus routes, and not a reliance on the private motorcar, in accordance with paragraphs 115 - 117 of the NPPF (December 2024).

9. Change of Functionally of Mill Lane:

Prior to the first occupation of the development hereby permitted, the use of Mill Lane shall be restricted to prevent through vehicular traffic and shall be limited to use by active travel modes only (including pedestrians and cyclists). All associated measures, as indicated on drawing (Ref: 70056409-SK-006 Rev P06 shall be implemented in full through the appropriate Traffic Regulation Order (TRO) process and thereafter retained for the lifetime of the development.

Reason: To ensure residents and visitors of the development have the realistic option of travelling by active modes, and not a reliance on the private motorcar, in accordance with paragraphs 115 – 117 of the NPPF (December 2024)

10. Wider highway Works - Provision of Tactile /Footways, Roads signs:

Prior to the first occupation of the development hereby permitted, all tactile pedestrian crossings, footways along London Road and Mill Lane, and associated active travel signage shall be fully implemented in accordance with drawing (Ref: 70056409-SK-011 P01). These works shall be carried out to the satisfaction of the Local Planning Authority, in consultation with the Highway Authority, and secured through a Section 278 Agreement.

Reason: In the interests of right of way users, and compliance with LTP4.

11. Construction Traffic management Plan (CTMP):

No development shall commence until a detailed Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the Local Planning Authority in consultation with the highways. Thereafter, the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Traffic Management Plan shall include details of:

- a. Construction vehicle numbers, type, routing.
- b. Access arrangements to the site.
- c. Measure to minimise dust, noise machinery and traffic noise impacts during construction.
- d. Screening and hoarding details to protect neighbouring residents.
- e. Traffic management requirements, including the location of routes and from the site, details of their signing monitoring and enforcement measures.
- f. Construction and storage compounds (including areas designated for car parking, loading/unloading and turning areas);
- g. Siting and details of wheel washing facilities.

- h. Cleaning of site entrances, site tracks and the adjacent public highway including end of day tidying procedures to ensure protection of the site out the hours of construction. The construction activities shall be designed and undertake in accordance with the code of best practice set out in BS5228 1997 and the agreed details unless otherwise agreed in writing by the LPA and Highways.
- i. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times.
- j. Provision of sufficient on-site parking prior to commencement of construction activities.
- k. Post construction restoration/reinstatement of the working areas and temporary access to the public highway.
- l. where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes, and remaining road width for vehicle movements.

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

12. Parking/Internal roads / Truing areas:

The detailed plans should be submitted in connection with approval of reserved matters application which shall show to the satisfaction of the Local Planning Authority:

- o The details of all hardsurfaced areas within the site. This includes, but is not limited to, all roads, footways, forecourts, driveways, parking and turning areas, and foul and surface water drainage.
- o The level of footway and carriageway visibility from each individual vehicle access, and the level of visibility from and around each main junction within the site, within which there shall be no obstruction to visibility between 600mm and 2 m above the carriageway level.
- o That service vehicles, including refuse and emergency vehicles, can safely and conveniently access and route through the site, to include the provision of sufficient turning and operating areas.
- o The provision of sufficient facilities for cycle storage.

All these features shall be provided before first occupation and maintained in perpetuity.

Reason: To provide adequate visibility for drivers within the site, to promote alternative modes of travel, and for the overall free and safe flow of all site users

13. 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).

14. Prior to any construction works, a scheme for the provision of fire hydrants shall be submitted to and agreed in writing by the LPA, and the approved details shall be implemented on site prior to the first occupation of the dwellings hereby approved.

Reason: As required by HCC. LP Policy D1.

15. LLFA: Prior to or in conjunction with the submission of each reserved matters application, in accordance with the submitted FRA (Flood Risk Assessment, by WSP, March 2026, reference -UK0028795.1577 and revision 1), following any further agreed details, detailed designs of a surface water drainage scheme incorporating the following measures shall be submitted to and agreed with the Local Planning Authority. The approved scheme will be implemented prior to the first occupation of the development. The scheme shall address the following matters:

I. Detailed infiltration testing in accordance with BRE Digest 365 (or equivalent) along the length and proposed depth of the proposed infiltration features.

II. Provision of surface water attenuation storage, sized and designed to accommodate the volume of water generated in all rainfall events up to and including the critical storm duration for the 3.33% AEP (1 in 30 year) and 1% AEP (1 in 100) rainfall events (both including allowances for climate change).

III. Provision of source control SuDS throughout the site to provide at-source capture, attenuation and conveyance of surface water flows and in accordance with the National Standards for SuDS 2025.

IV. Detailed designs, modelling calculations and plans of the of the drainage conveyance network in the:

- o 3.33% AEP (1 in 30 year) critical rainfall event plus climate change to show no flooding outside the drainage features on any part of the site.

- o 1% AEP (1 in 100 year) critical rainfall plus climate change event to show, if any, the depth, volume and storage location of any flooding outside the drainage features, ensuring that flooding does not occur in any part of a building or any utility plant susceptible to water (e.g. pumping station or electricity substation) within the development. It will also show that no runoff during this event will leave the site uncontrolled.

V. The design of the infiltration / attenuation / detention basin will incorporate an emergency spillway, and any drainage structures include appropriate freeboard allowances. Plans to be submitted showing the routes for the management of exceedance surface water flow routes that minimise the risk to people and property during rainfall events in excess of 1% AEP (1 in 100) rainfall event plus climate change allowance.

VI. Finished ground floor levels of properties are a minimum of 300mm above expected flood levels of all sources of flooding (including the ordinary watercourses, SuDS features and within any proposed drainage scheme) or 150mm above ground level, whichever is the more precautionary.

VII. Details of how all surface water management features to be designed in accordance with The SuDS Manual (CIRIA C753, 2015), including appropriate treatment stages for water quality prior to discharge.

VIII. A maintenance and management plan detailing the activities required and details of who will adopt and maintain the all the surface water drainage features for the lifetime of the development.

Reason: To prevent flooding in accordance with National Planning Policy Framework paragraphs 173,175 and 180 by ensuring the satisfactory management of local sources of flooding surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and ensuring the SuDS proposed operates as designed for the lifetime of the development

16. LLFA: 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 Local Planning Authority

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

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

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

18. LLFA: Prior to first use of each phase of the development a detailed verification report, (appended with substantiating evidence demonstrating the approved construction details and specifications have been implemented in accordance with the surface water drainage scheme), has been submitted to and approved (in writing) by the Local Planning Authority. The verification report shall include a full set of "as built" drawings plus photographs of excavations (including soil profiles/horizons), any installation of any surface water drainage structures and control mechanisms.

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 Hertfordshire District Council.

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

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

20. No development shall be more than two storey in height.

Reason: To ensure that the new development is in keeping with local context. LP Policy D1.

Proactive Statement

Planning permission has been granted for this proposal. The Council acted proactively through early engagement with the applicant at the pre-application stage 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.

1. Biodiversity Net Gain

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.

2. 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.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.

Anglian Water informatives:

1. Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991.

Contact Development Services Team 0345 606 6087 Option 2.

2. Protection of existing assets - When an Anglian Water asset is shown on record plans within the land identified for proposed development, it is recommended that the applicant contacts the Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers or assets will not be permitted (without agreement) from Anglian Water.

3. Building near to a public sewer - No building will be permitted within the statutory minimum easement width of 3 metres from a pipeline without agreement from Anglian Water. Easements are subject to specific easement requirements dependent on the size and depth of the sewer or asset, or any advice or comment provided by Anglian Water. Please contact our Development Services Team on 0345 606 6087 - Option 2 for any queries.

4. The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 Option 2 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements

LLFA Informatives:

1. The LLFA wish to be re-consulted should any further amendments be made to this planning application, or, if you are aware of a specific issue which would affect flood risk or drainage at this location.

2. For further advice on what we expect to be contained within the FRA and/ or a Drainage Strategy to support a planning application, please refer to the Validation List Hertfordshire County Council and Proforma on our surface water drainage webpage <https://www.hertfordshire.gov.uk/services/recycling-wasteandenvironment/water/surface-water-drainage/surface-water-drainage.aspx> this link also includes HCC's Flood Risk Management policies on SuDS in Hertfordshire. We do expect the Validation List to be submitted to the Local Planning Authority and LLFA to show you have provided all information and the Proforma to the LLFA to summarise the details of the proposed development.

3. Erection of flow control structures or any culverting of an ordinary watercourse requires consent from the appropriate authority and the Local Council (if they have specific land drainage bylaws). It is advised to discuss proposals for any works at an early stage of proposals.

4. Both FEH13 and FEH22 are currently accepted to support drainage modelling calculations. For the avoidance of doubt the use of FSR and FEH1999 data has been superseded and therefore, use in rainfall simulations are not accepted.

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