

Location: **Land Adjacent To 10
Hambridge Way
Pirton
Hertfordshire**

Applicant: **Mr Ollie Doyle**

Proposal: **Erection of up to 50 dwellings including affordable housing, together with amenity space, landscaping and all associated infrastructure and works (all matters reserved except means of access) (amended and additional plans received 10.04.2026).**

Ref. No: 25/02064/OP

Officer: **Ben Glover**

Date of expiry of statutory period: 04/12/2025

Extension of statutory period: 27/02/2026

Reason for Delay: Negotiations with the applicant's agent and awaiting a date for Planning Control Committee.

Reason for Referral to Committee:

The application is a residential development with a site area that exceeds 0.5ha and therefore under the Council's scheme of delegation, the Council's Planning Control Committee must determine this application.

1. **Relevant History**

1.1. No relevant planning history.

2. **Policies**

2.1. **National Planning Policy Framework (2024)**

Section 2: Achieving sustainable development

Section 5: Delivering a sufficient supply of homes

Section 6: Building a strong and competitive economy

Section 8: Promoting healthy and safe communities

Section 11: Making effective use of land

Section 12: Achieving well-designed places

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

2.2. North Hertfordshire District Council 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, biodiversity and landscape
Policy SP13: Historic environment
Policy CGB1: Rural Areas beyond the Green Belt
Policy T1: Assessment of transport matters
Policy T2: Parking
Policy HS2: Affordable Housing
Policy HS3: Housing Mix
Policy HS4: Supported, sheltered and older persons housing
Policy HS5: Accessible and adaptable housing
Policy D1: Sustainable design
Policy D3: Protecting living conditions
Policy D4: Air quality
Policy NE1: Strategic green infrastructure
Policy NE2: Landscape
Policy NE4: Biodiversity and geological sites
Policy NE6: New and improved open space
Policy NE7: Reducing flood risk
Policy NE8: Sustainable drainage systems
Policy NE9: Water quality and environment
Policy NE10: Water conservation and wastewater infrastructure
Policy NE11: Contaminated Land
Policy NE12: Renewable and low carbon energy development
Policy HE1: Designated heritage assets
Policy HE3: Non-designated heritage assets
Policy HE4: Archaeology

2.3. Pirton Neighbourhood Development Plan (2011-2031)

PNP 1 – Meeting Local and Wider Needs
PNP 2 – Design and Character
PNP 4 – Hedgerows, Trees and Verges
PNP 5 – Wildlife
PNP 6 – Local Green Spaces
PNP 7 – Key Views and Vistas
PNP 8 – Heritage Assets and Archaeological Heritage
PNP 11 – Safety of Pedestrians, Cyclists, Equestrians and Motorists
PNP 12 – Connectivity
PNP 13 – Car Parking

2.4. Other Planning Guidance and Documents

Planning Practice Guidance (PPG)
Sustainability SPD (September 2024)
Vehicle Parking at New Developments SPD (November 2011)

3. **Representations**

3.1. **Site Notice:**

Start Date: 22/09/2025

Expiry Date: 15/10/2025

3.2. **Press Notice:**

Start Date: 25/09/2025

Expiry Date: 18/10/2025

3.3. **Neighbouring Notifications:**

122 representations have been received following public consultation. 116 object to the proposal, 1 in support, and 5 are representations neither objecting or supporting. The comments are summarised below and are available to view in full on the NHC website:

Summary of Comments:

- Increase of traffic on Cotman End, a cul-de-sac designed to meet the needs of 12 houses rather than intended to be a link road to a larger development.
- Cotman End is a narrow road which does not allow room for on-street parking. The loss of two visitor parking spaces will worsen ability to meet needs of existing properties.
- Walnut Tree Road is potentially dangerous due to narrowness and location of blind bend close to junction with Cotman End and Sports Ground. Increase in traffic along this road to accommodate housing will exacerbate current problems.
- Objection to any suggestion that either vehicular or pedestrian access to the sports ground be along the road and footpaths of Cotman End.
- The development would mean the loss of some of the last remaining wild grasslands.
- Concern relating to the loss of the central hedgerow, which is important for bats and other wildlife. The hedgerow should be retained and the green corridor changed to follow existing hedgerow.
- Scheme would result in a 19% loss of biodiversity.
- The proposed development is outside of the Pirton Development Boundary and does not comply with the Local Plan.
- The Neighbourhood Plan states that new housing should be limited to a maximum of 30 homes. The proposal goes beyond that limit.
- The planned crossing over Public Footpath 005 is at an existing narrow section of the road, making it unsafe for pedestrians. More traffic next to the Recreation Ground and pavilion would create additional risks.
- Footpath 005 has been blocked in the past, raising concerns about whether it would remain open and safe in the future.
- The proposed density is much denser than surrounding area and would harm rural character of Pirton.
- Amount of green space and play areas provided appears to be inadequate.
- Drainage strategy relies on a ditch not owned or controlled by the applicant, so no guarantee it can be used or maintained.

- Village already experiences problems with surface water and foul drainage. Application does not show how these existing issues will be resolved before more homes are built.
- The site has poor walking, cycling, and public transport links, meaning most will have to rely on cars. Not consistent with local or national planning policies.
- New pavements on Hambridge Way could make it more difficult for emergency vehicles to access and compromise pedestrian safety.
- Archaeological features not properly considered.
- New access would increase traffic noise for nearby residents and people using recreation ground.
- BNG should be provided on-site rather than relying on offsetting through a habitat bank.
- Introducing 50 dwellings, with associated lighting, hardstanding and private gardens, risks disrupting nocturnal species such as bats and reducing habitat suitability for reptiles, amphibians, and invertebrates.
- Proximity to the Chilterns AONB. Development would erode rural setting and diminish ecological buffer.
- Development would contribute to cumulative development pressures on the village.
- No evidence of long-term accountability to guarantee habitat creation and management will be delivered in perpetuity.
- The access is unacceptable. The use of the current access means that the width is inadequate at 4.8m, less than the proposed new estate road.
- The space in front of visitor spaces (to be removed) was reserved for refuse lorries and other large vehicles to exit and reverse. This will no longer be possible.
- No construction should commence unless and until a formal diversion order is in place for footpath 005.
- Foul water system cannot cope with additional surface water from development.
- Open space provision is diminished by substantive attenuation feature.
- Cycling or walking to Hitchin or elsewhere is not viable or practical. Contrary to paragraph 110 of NPPF.
- Increased pressure on schools, healthcare, parking, roads, and other local services.
- Cricket balls have been hit into the field in the past - will this be a potential danger to people in the proposed development.
- Further design detail should be provided and scale reconsidered. Road network looks out of keeping with existing village.
- Proposal does not provide enough smaller or genuinely affordable homes for local people.
- Construction traffic would put extra strain on village roads that are already in poor condition and not wide enough.
- No case for modifying / urbanising the junction at Hambridge Way. Access to the site is not via Hambridge Way.
- Water pressure issues resulting from recent developments.
- Need for smaller houses and bungalows.
- Development on brownfield sites, established towns and cities would be preferred.
- Harm to the setting of the conservation area and listed buildings.
- Pirton cannot be expanded any further.
- Increase in noise, light, and air pollution from development and extra car use and construction.
- Harm to key views and vistas.

- Would harm local amenity through the loss of the field.

3.4. **Consultees:**

Affinity Water – No objection.

Anglian Water – No objection.

Bedfordshire, Luton and Milton Keynes Integrated Care Board – No objection subject to S106 contributions.

CPRE Hertfordshire – Objection. Comments available in full on the NHC website.

HCC Archaeology – No objection subject to conditions.

HCC Growth & Infrastructure – No objection subject to S106 contributions.

HCC Highways – No objection subject to conditions and to the agreement of Strand 1 and Strand 2 planning obligations.

HCC Minerals & Waste – No objection subject to the inclusion of a Site Waste Management Plan condition.

HCC Public Rights of Way – No objection.

Herts Middlesex Wildlife Trust – No comments received.

Herts Fire & Rescue – No objection subject to inclusion of a condition for the provision and installation of fire hydrants.

Lead Local Flood Authority – No objection subject to conditions.

NHC Conservation Officer – No objection.

NHC Ecology – Concerns raised. Recommend conditions.

NHC Environmental Health (Noise) – No objection subject to condition.

NHC Environmental Health (Contaminated Land) – No objection subject to condition.

NHC Environmental Health (Air Quality) – No objection subject to condition.

NHC Housing Development Officer – No objection. Comments in full on NHC website.

NHC Strategic Planning – No comments received.

NHC Sustainability Officer – No comments received.

NHC Transport Policy Officer – No comments received.

NHC Urban Design Officer – No comments received.

NHC Waste – No objection.

NHS Cambridge & Royston – No comments received

NHS East & North Hertfordshire – No comments received

NHS Hertfordshire & West Essex – No comments received

Pirton Neighbourhood Plan Steering Group – No comments received.

Pirton Parish Council – Objection.

4. Planning Considerations

4.1. Site and Surroundings

- 4.1.1. The application site is located to the east side of Pirton and consists of two agricultural fields that sit outside of the Pirton Village Boundary. The site measures approximately 3.06 hectares in size and is situated within the Rural Area Beyond the Green Belt.
- 4.1.2. The site is largely bound by mature vegetation consisting of trees and hedgerows. There is also mature vegetation that runs east/west through the middle of the two fields. The site is neighboured to the north and west by existing residential development (Drovers Way and Cotman End). To the south of the site is the Pirton Recreation Ground. To the east of the site is open arable countryside.
- 4.1.3. The site adjoins several public rights of way including 'Pirton 021' to the north, 'Pirton 013' to the east, and 'Pirton 005' to the south. No public rights of way run through the site.
- 4.1.4. The Pirton Conservation Area is situated to the west of the application site, but is largely separated by the existing residential development on the western boundary. There are several Grade II listed buildings set away to the west of the site along Hambridge Way and Walnut Tree Road. The Toot Hill motte and bailey castle, which is a scheduled monument, is also to the west of the site.

4.2. The Proposal

- 4.2.1. Outline permission is sought for the erection of up to 50 dwellings including affordable housing, together with amenity space, landscaping and all associated infrastructure and works (all matters reserved except means of access).
- 4.2.2. This is an outline application with all matters reserved for future consideration, except for access to the site. Therefore, matters relating to appearance (aspects of the building or place that determine its visual impression), landscaping (the treatment of the land to enhance or protect the amenities of the site and the surrounding area including screening and tree planting), layout (the location, height, width, and length of the proposed buildings, streets, and spaces), and scale (the height, width, and length of the proposed buildings), do not form part of this application. These matters would be secured by conditions requiring the submission of reserved matters applications in the event of approval.

4.3. Key Issues

- 4.3.1. The key issues for consideration are as follows:
 - Principle of housing development in the Rural Area Beyond the Green Belt
 - Affordable housing provision

- Landscape and visual impact
- Impact on heritage assets
- Highways and access impacts
- Impact on neighbouring amenity
- Design and layout
- Flood risk and drainage
- Ecology and Biodiversity Net Gain
- Sustainability appraisal
- Loss of agricultural land
- Environmental impacts
- Section 106
- Planning balance and conclusions

Principle of Housing Development in the Rural Area Beyond the Green Belt:

- 4.3.2. Paragraph 2 of the National Planning Policy Framework (2024) ('the NPPF') sets out that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise and that the NPPF is an important material consideration in planning decisions.
- 4.3.3. Paragraph 11 of the NPPF sets out that decisions should apply a presumption in favour of sustainable development. For decision taking, Paragraph 11(d) states *'where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*
- i. the application of policies in this Framework that protect areas or assets of particular importance provides 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.'*
- 4.3.4. North Herts Council (The Council) is currently unable to demonstrate a five-year supply of deliverable housing land. The latest published figure determined that the Council can currently demonstrate 2.6 years supply. Consequently, and in accordance with footnote 8 of the NPPF, the policies most important for determining this application are out-of-date and the 'tilted balance' is engaged in favour of the provision of housing on the application site.
- 4.3.5. While the tilted balance is engaged, Paragraph 12 of the NPPF states that *'the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making.'*
- 4.3.6. With regards to housing delivery, Paragraph 61 of the NPPF sets out the Government's objective of significantly boosting the supply of homes, ensuring that a sufficient amount and variety of land can come forward where it is needed, and that the needs of groups with specific housing requirements are addressed. Paragraph 61 goes on to set out that the overall aim should be to meet an area's housing need, including with an appropriate mix of housing types for the local community.

- 4.3.7. The Council further acknowledges the Government's clear message in response to the national housing crisis, including its ambition to deliver 1.5 million homes. This Written Ministerial Statement (HCWS308) is a material consideration and is given weight in decision-making, including in relation to housing delivery and the presumption in favour of sustainable development.
- 4.3.8. Paragraph 124 of the NPPF sets out that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.
- 4.3.9. As set out in the report above, the policies contained within the North Hertfordshire Local Plan (NHLP) that are most important for determining the application are out-of-date. The Council can only currently demonstrate a five-year housing land supply of 2.6 years, which is a significant shortfall. Therefore, the weight given to the relevant policies contained within the NHLP are significantly reduced.
- 4.3.10. The North Hertfordshire Local Plan 2011-2031 was adopted by the Council in November 2022.
- 4.3.11. Policy SP1 of the NHLP is the backbone for considering development proposals. It requires that the main role of key settlements, be the focus for new development, including housing.
- 4.3.12. Policy SP2 of the NHLP sets out where and the amount of new housing that will be delivered across the district over the plan period. Policy SP2 identifies Pirton as a Category A village, in which general development will be allowed within the defined settlement boundaries. The application site sits outside of the defined settlement boundary of Pirton and therefore the proposal conflicts with Policy SP2 of the Local Plan.
- 4.3.13. With the application site being outside of the Pirton settlement boundary, it lies within the Rural Area Beyond the Green Belt. Policy SP5 of the NHLP sets out that the Council will operate a general policy of restraint in the Rural Areas beyond the Green Belt through the application of the authorities detailed policies.
- 4.3.14. Policy CGB1 of the NHLP sets out the policy requirements for development located within the Rural Areas beyond the Green Belt. Policy CGB1 sets out that planning permission will be granted subject to the below:
- a) Is infilling development which does not extend the built core of a Category B village;
 - b) Meets the proven local need for community facilities, services or affordable housing in an appropriate location;
 - c) Is strictly necessary for the needs of agriculture or forestry;
 - d) Relates to an existing rural building;
 - e) Is a modest proposal for rural economic development or diversification; or
 - f) Would provide land or facilities for outdoor sport, outdoor recreation and cemeteries that respect the generally open nature of the rural area.
- 4.3.15. The proposed development would not comply with any of the criteria set out in Policy CGB1.

- 4.3.16. Policy PNP 1 of the Pirton Neighbourhood Development Plan (PNP) sets out that residential development will be supported if it is within the development boundary of the village and is for no more than 30 houses on any one development site. The proposed development would conflict with Policy PNP 1 of the Neighbourhood Plan.
- 4.3.17. In conclusion of the above, the proposed residential development would be located outside of the Pirton settlement boundary and within the Rural Area beyond the Green Belt. The proposal would conflict with local plan policies SP2, SP5 and CGB1 and Policy PNP 1 of the PNP. However, the Council cannot demonstrate a five-year supply of deliverable housing land and the weight given to the relevant policies are significantly reduced. Therefore, despite policy conflict with the local plan, the provision of up to 50 dwellings, including 30 market homes, on land that physically adjoins Pirton would make a significant contribution to the housing supply within the district.
- 4.3.18. The proposed residential use of the site is therefore considered acceptable in terms of land use and is afforded significant weight in favour of the proposal in the planning balance.

Affordable Housing Provision:

- 4.3.19. Paragraph 63 of the NPPF sets out that the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies.
- 4.3.20. Paragraph 66 of the NPPF sets out that where major development involving the provision of housing is proposed, planning policies and decisions should expect that the mix of affordable housing required meets identified local needs, across Social Rent, other affordable housing for rent, and affordable home ownership tenures.
- 4.3.21. Policy SP8 of the NHLP sets out that the Council will support a range of housing tenures, types and sizes measured against targets to provide 33% of all homes over the plan period as affordable housing for local needs with targets to deliver 40% affordable housing where viable.
- 4.3.22. Policy HS2 of the NHLP sets out that planning permission for new homes will be granted provided that affordable housing is provided in accordance with the targets set out within the policy. Policy HS2 sets out that 40% of dwellings on sites of 25 or more should be affordable.
- 4.3.23. The Council has an unmet affordable housing need as set out in the North Herts District and Stevenage Borough Councils SHMA Part II Updated (November 2023) and evidenced by North Herts Councils Authority Monitoring Report (2024-2025). Furthermore, there has been a consistent year on year under delivery of affordable housing within the district as set out within the Monitoring Report.
- 4.3.24. The proposed development would provide up to 50 dwellings, 20 of which would be affordable homes. The proposal would therefore be compliant with Policy HS2 of the NHLP.
- 4.3.25. In conclusion of the above, the proposed delivery of a policy compliant 20 affordable homes would contribute towards the current unmet need and is afforded very significant weight in favour of the proposed development.

Landscape and Visual Impact:

- 4.3.26. Paragraph 187 sets out that planning decisions should contribute to and enhance the natural and local environment by:
- a) *Protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);*
 - b) *recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.*
- 4.3.27. Paragraph 135 of the NPPF sets out that planning policies and decisions should ensure that development add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, are sympathetic to local character and history, including the surrounding built environment and landscape setting.
- 4.3.28. Policy SP9 of the NHLP sets out that the Council will support new development where it is well designed and located and responds positively to its local context.
- 4.3.29. Policy SP12 of the NHLP sets out that the Council will accommodate significant growth during the plan period whilst ensuring the natural environment is protected and enhanced. Policy SP12 states the Council will consider and respect landscape character, scenic beauty and locally sensitive features, particularly in relation to the Chilterns Area of Outstanding Natural Beauty (now referred to as Chilterns National Landscape).
- 4.3.30. Policy NE1 of the NHLP seeks to protect, conserve, and enhance strategic green infrastructure. The policy also seeks suitable mitigation measures or appropriate replacement to satisfactorily address adverse impacts on the strategic green infrastructure network.
- 4.3.31. Policy NE2 of the Local Plan sets out that planning permission will be granted for development proposals that respect the sensitivities of the relevant landscape character area, do not cause unacceptable harm to the character and appearance of the surrounding area or the landscape character area in which the site is located, taking into account any suitable mitigation measures, are designed and located to ensure the health and future retention of important landscape features, and have considered the long-term management and maintenance of any existing and proposed landscaping.
- 4.3.32. Policy PNP7 (Key Views and Vistas) of the Pirton Neighbourhood Plan sets out that the plan seeks to protect and enhance the setting of Pirton Village in relation to the Chilterns Area of Outstanding Natural Beauty (Chilterns National Landscape), and the surrounding rural landscape.
- 4.3.33. The application site is located approximately 400 metres to the east of the Chilterns National Landscape.

- 4.3.34. The site is located within Landscape Character Area (LCA) 218 Pirton Lowlands of the North Herts Landscape Study. The key characteristics of the LCA include large arable open flat landscapes, remnant hedgerows and woodland shelter around settlements.
- 4.3.35. The application is accompanied by a Landscape and Visual Assessment (LVIA) supporting document, which identifies the landscape and visual effects of the proposal.
- 4.3.36. In summary of the development's impact on the surrounding landscape, the applicants LVIA concludes the following:
- The proposal would not result in a significant landscape effect, but there would be a significant effect on secondary, seasonal views from some of the surrounding properties.
 - Landscape receptors are judged as having a low sensitivity to change. The overall magnitude of change as a result of the development at the site scale is considered medium due to the introduction of built elements, retention of vegetation and the current site condition. For site landscape receptors the effect is slight/moderate.
 - The district LCA is considered to have a low to medium sensitivity to change. The introduction of new built elements is considered a medium magnitude of change to the receiving local landscape character. The result is considered to be slight/moderate to moderate effect on the immediate surroundings in the long-term.
 - The wider landscape is considered to have a medium sensitivity. The proposals are considered a negligible magnitude of change at the wider landscape scale due to the minor change and discreet nature of the site. Therefore a slight effect on the wider landscape.
 - Slight/moderate cumulative landscape effects caused by the proposed which is an extension to the settlements edge.
 - The greatest effect on visual amenity is likely to be experienced immediately adjacent to the site by properties to the north and west. Moderate visual effects to views from upper storey windows have been identified. Visual effect to footpath users is to the immediate boundaries as views quickly fall away due to built form to the west and strong boundary vegetation to the east and south.
 - Low cumulative visual effect due to the enclosure of the site.
 - Mitigation planting would include reinforcing the existing vegetation to the site boundaries, including infill mixed species hedgerow along the northern edge.
 - The site is characterised by the surrounding settlement, is private and underused. The site can provide a positive landscape in which to site new housing
- 4.3.37. The Council appointed Place Services (Landscape) to assess the submitted LVIA. While Place Services consider the LVIA has been underassessed in some of the impacts, Place Services consider that there is capacity for development within the application site and welcome some of the proposed amendments received throughout the application process. Although they advise that further consideration be given to the retention of the central hedgerow or some trees within the hedgerow to provide structure and maturity to the scheme.

- 4.3.38. It is noted that there is a 'Local Important View' (No. 7 – 'View from Hambridge Way E across the Pirton Lowlands and Hertfordshire to the Letchworth Ridge') located close to the northeastern corner of the application site. The view is eastward away from the site. The site does not otherwise intersect with any other locally important views.
- 4.3.39. The proposal outlines measures to mitigate the landscape and visual impacts of the proposed development, primarily through a 'landscape-led' approach that focuses on the retention of the existing vegetation and the creation of substantial new green infrastructure within the site.
- 4.3.40. The proposal would include the retention and protection of the mature boundary trees and hedgerows, which largely enclose the site and screen it from the wider countryside. Furthermore, the proposal would incorporate a 12m buffer to boundary hedgerows and trees where required in accordance with Policy NE4 of the Local Plan.
- 4.3.41. The boundaries of the site would be reinforced with new planting, infilling gaps in the existing boundaries.
- 4.3.42. It is recommended that the retention, protection, and enhancement of landscaping within the site be secured through the use of appropriate and relevant conditions.
- 4.3.43. In conclusion of the above, the proposed development would result in some adverse landscape and visual impacts. However, given the existing built form to the north and west of the site, the existing screening from vegetation and the provision of new or additional landscaping, it is considered that the adverse effects would be localised and limited. Mitigation planting measures can be secured by condition, and such measures would be beneficial to the landscape and biodiversity.
- 4.3.44. Overall, it is considered that the visual and landscape harm should be attributed limited weight in the planning balance.

Impact on Heritage Assets:

- 4.3.45. Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that 'in considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority... shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'
- 4.3.46. Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that 'special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.'
- 4.3.47. Paragraph 210 of the NPPF sets out that when determining applications, LPAs should take account of:
- a) *The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
 - b) *the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
 - c) *the desirability of new development making a positive contribution to local character and distinctiveness.*

- 4.3.48. Paragraph 212 of the NPPF sets out 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.
- 4.3.49. Paragraph 213 of the NPPF sets out that any harm to, or loss of, the significance of a designated heritage asset, including from development within its setting, should require clear and convincing justification.
- 4.3.50. Paragraph 215 of the NPPF sets out that where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
- 4.3.51. Policy SP13 of the NHLP sets out that the Council will balance the need for growth with the proper protection and enhancement of the historic environment. The policy states that *'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.'*
- 4.3.52. Policy HE1 of the NHLP sets out that planning permission for development proposals affecting designated heritage assets or their setting will be granted where they will lead to less than substantial harm to the significance of the asset, and this harm is outweighed by the public benefits of the development.
- 4.3.53. There are no identified heritage assets within the application site and is set some distance away from surrounding heritage assets reducing the potential for impact upon the setting of heritage assets.
- 4.3.54. The NHC Conservation Officer was consulted and concluded that the proposal is unobjectionable in heritage terms and stated that the development would not have a direct impact upon the setting of listed buildings, a scheduled monument, or the Pirton Conservation Area and their significance.
- 4.3.55. The application is accompanied by an archaeological Heritage Technical Note. The document identified that the site likely formed part of the village's agricultural hinterland rather than part of the medieval settlement area. The document also identified the potential for a 'hollow way' on the western boundary of the site, but acknowledged that this part of the site would be retained as green space rather than for the siting of housing.
- 4.3.56. The Hertfordshire County Council's Archaeologist was consulted and raised no objection to the proposed development. However, it is recommended that planning conditions be attached requiring the submission of an Archaeological Written Scheme of Investigation.
- 4.3.57. In conclusion of the above, it is considered that the proposal would not result in any unacceptable harm to heritage assets in proximity to the application site. No harm has been identified by the NHC Conservation Officer. This matter therefore weighs neutrally in the planning balance.

Highways and Access Impacts:

- 4.3.58. Paragraph 110 of the NPPF sets out that the planning system should actively manage patterns of growth in support of the objectives set out in Paragraph 109 of the NPPF. Paragraph 110 goes on to state *'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.'*
- 4.3.59. Paragraph 115 of the NPPF states that it should be ensured that sustainable transport modes are prioritised, taking account of the vision for the site, the type of development and its location. Paragraph 115 also sets out that it should be ensured that safe and suitable access to the site can be achieved for all users.
- 4.3.60. Paragraph 116 of the NPPF sets out that *'development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios'*.
- 4.3.61. Local plan Policy SP6 confirms that the Council will seek to secure accessibility improvements and promote the use of sustainable transport modes insofar as reasonable and practicable.
- 4.3.62. Policy T1 of the NHLP states that planning permission will be granted provided that development would not lead to highways safety problems or cause unacceptable impacts upon the highway network. Policy T1 also sets out that permission will be granted for major development that demonstrate how the proposed scheme would be served by public transport, would provide safe, direct and convenient routes for pedestrians and cyclists and secure integration into the existing pedestrian and cycle, public transport and road networks.
- 4.3.63. In terms of vehicular access, the site would be accessed off Cotman End in the south west corner of the site. This would provide the main vehicular access to and from the site with the intention of serving all homes within the development.
- 4.3.64. The application is accompanied by a Transport Assessment (TA). The TA considers that the proposed development would have a limited impact upon the local highway network and its safe operation.
- 4.3.65. The TA also estimates that there would be approximately 25 two-way vehicle movements during the morning peak hour (08:00-09:00), 24 two-way movements during the evening peak hour (17:00-18:00). The TA sets out that the traffic flow resulting from the proposed development would be negligible.
- 4.3.66. The Highways Authority have been consulted on the application and have raised no objection, subject to the agreement of planning contributions and subject to conditions. The Highways Authority are satisfied that impacts arising from traffic generation from the development would be minimal. Furthermore, Highways are satisfied that a safe and sustainable access can be achieved for the site.

- 4.3.67. In relation to proposed cycle and car parking details, this is an outline application with all matters reserved save for means of access, therefore, no parking details are provided at this stage. Any future reserved matters application will need to demonstrate adequate provision is made for car and cycle parking for the relevant uses having regard for the relevant guidance and policies at the time of submission.
- 4.3.68. In terms of walking and cycling (active travel), the Framework Plan (22130(D)021B) secures two north to south pedestrian links between Hambridge Way to the north through to the Recreation Ground. The Framework Plan also includes an east to west 'Green Street / Link' through the middle of the site. The 'Proposed Pedestrian and Cycle Access' plan (2210-050-PL04A) includes proposed pedestrian / cycle access points to and from the application site. The supplementary access points to the site would be sited on the northwest and northeast boundary, and the southeast boundary.
- 4.3.69. HCC Highways operate two levels of mitigation agreements (Strand 1 and Strand 2). Strand 1 mitigation works being works that are directly required to unlock the development and solely the responsibility of the development. Strand 2 mitigation works being works that address the wider cumulative impact of the development for which the development isn't solely responsible for but does derive benefit from.
- 4.3.70. At the time of writing, the Strand 1 and 2 mitigation is yet to be agreed between the Highway Authority and applicant.
- 4.3.71. In conclusion of the above, this outline application seeks to secure the vehicular access arrangements to the site. Conditions are recommended to ensure the proposal is acceptable from a highways perspective and to secure mitigation measures. In line with paragraph 116 of the NPPF there would not be a severe impact on the road network.
- 4.3.72. The proposal is considered to be acceptable from a highways perspective, and the absence of harm weighs neutrally in the planning balance subject to conditions and planning obligations being agreed.

Impact on Neighbouring Amenity:

- 4.3.73. Paragraph 135 f) of the NPPF sets out that planning decisions should ensure developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 4.3.74. Paragraph 198 of the NPPF sets out that planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment. In doing so, they should mitigate and reduce to a minimum potential adverse impact resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and quality of life.

- 4.3.75. Policy D3 of the NHLP sets out that planning permission will be granted for development proposals which do not cause unacceptable harm to living conditions and where the living conditions of an existing development would be affected by a proposed use, the Council will consider whether mitigation measures could reduce the harm to acceptable levels.
- 4.3.76. Existing residential properties adjoin the application site to the north and west. The properties to the north are separated from the site by Hambridge Way, a public right of way, which provided a clear physical and visual buffer between the proposed development and neighbouring properties. The separation between the proposed and existing built form is further enhanced by the existing vegetation along the north boundary of the site.
- 4.3.77. To the west of the site is Cotman End. The submitted Framework Plan shows that the development block would be set back from the boundary with Cotman End. Boundary vegetation and green buffers would further mitigate against the potential for overlooking or overbearing impact to existing properties.
- 4.3.78. At this outline stage, with layout, scale, and appearance between reserved for future approval, the relationship between existing properties and the future development cannot be fully assessed. However, the Parameter Plan and Framework Plan submitted alongside the application fix the developable area. It is therefore considered that the proposal would comply with both local and national planning policies and not result in unacceptable harm to neighbouring amenity.
- 4.3.79. This matter weighs neutrally in the planning balance.

Design and Layout:

- 4.3.80. Paragraph 131 of the NPPF sets out that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.
- 4.3.81. Paragraph 135 of the NPPF states that planning decisions should ensure that development will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development, and optimise the potential for the site to accommodate and sustain an appropriate amount and mix of development.
- 4.3.82. Policy SP9 of the NHLP sets out that the Council considers good design to be a key aspect of sustainable development. The Council will support new development where it is well designed and located and responds positively to its local context.
- 4.3.83. Policy D1 of the NHLP states that planning permission will be granted for development proposals that respond positively to the site's local context. Policy D1 also requires that proposals take all reasonable opportunities, consistent with the nature and scale of the scheme, to create or enhance public realm, optimise the potential of the site by incorporating Sustainable Drainage Systems (SuDS), reduce energy consumption, retain existing vegetation and proposed appropriate new planting, maximise accessibility, legibility and physical and social connectivity both internally and within neighbouring areas, future proof for change in technology and

lifestyle, design out opportunities for crime and anti-social behaviour, and minimise the visual impact of street furniture and parking provision.

- 4.3.84. This an outline application with all matters reserved save for access. At this stage, a detailed layout of the site is not required and are not being assessed within this report. These details would come forward as part of Reserved Matters applications.
- 4.3.85. The North Herts Design Code SPD was adopted in June 2026 and provides detailed design expectations. The Design Code is a material consideration in the determination of applications for residential development. Given that layout, scale, and appearance are reserved matters, the detailed design of the development cannot be assessed at this stage. The Framework Plan does however establish a structure capable of accommodating a scheme that would accord with the Design Code. Compliance with the Design Code will be a matter for future reserved matters applications.
- 4.3.86. The 'Illustrative Site Plan with Land Use Plan Overlay' plan demonstrates that up to 50 dwellings could be accommodated within the site with access from Cotman End. It is considered the indicative approach to the site would be suitable and allow for the submission of reserved matters applications that would align with the approach outlines within the submitted plans.
- 4.3.87. This matters weights neutrally in the planning balance.

Flood Risk and Drainage:

- 4.3.88. Paragraph 181 of the NPPF sets out that when determining planning applications, LPAs should ensure that flood risk is not increased elsewhere.
- 4.3.89. Paragraph 182 of the NPPF states that *'applications that could affect drainage on or around the site should incorporate sustainable drainage systems to control flow rates and reduce volumes of runoff, and which are proportionate to the nature and scale of the proposal.'*
- 4.3.90. Paragraph 187 e) of the NPPF states that planning decisions should contribute to and enhance the natural and local environment *'by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality'*.
- 4.3.91. SP11 of the NHLP set out that the Council will take a risk-based approach to development and flood risk, directing development to areas at lowest risk in accordance with the NPPF and ensuring the provision of Sustainable Drainage Systems (SuDS) and other appropriate measures.
- 4.3.92. Policy D1 sets out that permission will be granted for proposals that take all reasonable opportunities to optimise the potential of the site by incorporating SuDS.
- 4.3.93. Policy NE7 and NE8 of the NHLP seek to ensure that development will be located, designed and laid out to ensure the risk of flooding is reduced while not increasing flood risk elsewhere, and incorporate the most appropriate sustainable drainage solution for the site.

- 4.3.94. The entirety of the site is within Flood Zone 1, where there is a low probability of flooding from fluvial and tidal sources. The majority of the site is at very low risk of surface water. It is noted that a small high risk area existing in the northeast corner of the site due to it being the topographical low point.
- 4.3.95. It is proposed that the surface water be discharged at a controlled rate into the adjacent ordinary watercourse to match the existing scenario. The proposal also includes the provision of sustainable drainage systems to store excess water.
- 4.3.96. Following consultation with the Lead Local Flood Authority (LLFA), they accept the proposed drainage strategy for the site and raise no objection has been raised to the proposal subject to the inclusion of conditions.
- 4.3.97. Anglian Water have been consulted on the scheme and raise no objection to the proposed development subject to the inclusion of a condition relating to the submission of a foul water strategy.
- 4.3.98. In conclusion of the above, there would be no unacceptable harm arising to matters relating to flood risk and drainage in accordance with the NPPF and NHLP policies SP11, NE7, NE8, and D1, and this matter weighs neutrally in the planning balance.

Ecology and Biodiversity Net Gain:

- 4.3.99. Section 15 of the NPPF requires decisions to contribute to and enhance the natural environment. Local Plan policies SP1, SP12, NE4, NE6, and NE8 seek to protect, enhance and manage the natural environment.
- 4.3.100. The 2021 Environment Act introduced an automatic requirement for every planning permission granted to achieve a 10% Biodiversity Net Gain (BNG). The proposed development would result in a 19% net loss of in habitat units.
- 4.3.101. The application is accompanied by a 'Design Stage Biodiversity Net Gain Plan'. This document. The 19% loss of habitat units is primarily driven by the removal of large areas of modified grassland to make way for the development. The proposal would however result in a net gain of 23% in hedgerow units.
- 4.3.102. The BNG Plan submitted by the applicant sets out that *'in order to offset this loss and achieve the necessary 10% net gain in biodiversity and meet the metric trading rules 3.26 habitat units of any habitat will need to be procured from a habitat bank to replace the lost modified grassland.'*
- 4.3.103. To ensure that the 10% BNG is secured, it is recommended that a conclusion be included securing the submission of a 30 year Habitat Management and Monitoring Plan.
- 4.3.104. The proposal would result in the loss of the central hedgerow that runs east to west though the site. The submitted LVIA describes the hedgerow as 'poorly structured', 'partial', and 'non-continuous'. The LVIA also sets out that the central hedgerow will be replaced within the design of the scheme.
- 4.3.105. The Preliminary Ecological Assessment classified the central hedgerow as being in 'poor condition' with gaps within the canopy that make up more than 10% of the hedgerow. The assessment also notes that the hedgerow has gaps of 0.5m or greater at the base of the hedgerow for more than 10%.

- 4.3.106. The concerns raised by the Council's Ecologist are noted. However, having regard to the poor condition of the central hedgerow, the proposed replacement hedgerow planting, the net gain in hedgerow units, and the ability to secure appropriate mitigation and long-term management through conditions, it is considered that the proposal would not result in unacceptable level of harm to biodiversity or ecology. Subject to the recommended conditions and the delivery of the required Biodiversity Net Gain, this matter is considered to weigh neutrally in the planning balance.

Impact on Trees:

- 4.3.107. Section 15 of the NPPF confirms that proposals should protect and enhance the natural environment. Local Plan Policy SP1 seeks to protect key elements of North Hertfordshire's environment. Local Plan Policy NE2 seeks to ensure the health and future retention of important landscape features and their long-term management and maintenance.
- 4.3.108. The site contains areas of existing trees primarily to the boundaries of the site. Based on the submitted tree survey, a small number of trees will be removed to make way for the proposed development. However, the proposal includes the planting of 93 trees, which would outweigh the removal of the small number of existing trees.
- 4.3.109. It is considered appropriate to include conditions that would secure Arboricultural Method Statements and other relevant tree impact related information.
- 4.3.110. The loss of a small number of trees would be compensated by the planting of 93 trees that can be secured by condition. This matter weighs neutrally in the planning balance.

Open Space Provision:

- 4.3.111. Section 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 well-being needs and reduce health inequalities between the most and least deprived communities – for example through the provision of space and accessible green infrastructure, sport facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.
- 4.3.112. NHLP Policy NE6 ensures that development proposals 'make provision for new and/or improved open space which meets the needs arising from the development having regard to the Council's open space standards and other relevant guidance, contributed towards improving the provision, quality and accessibility of open space, and incorporate any necessary open space buffers for landscape, visual, ecological or air quality reasons.
- 4.3.113. Noting that this is an outline application, the proposal would allocate approximately 1 hectare to green space, public open space, and green corridors. This open space includes the dry attenuation feature to the south east of the site. This provision exceeds the requirement for open space provision for a development of this scale as set out by the Fields in Trust standards. Although it is noted the application does not include a breakdown of the open space typologies proposed.

- 4.3.114. Furthermore, the proposal includes a Local area of play (LAP) to the east of the site and located within the main open space for the site. The updated Framework Plan also shows areas of play on the way along the western boundary of the site.
- 4.3.115. In this case, sport provision will be provided off-site through financial contributions in lieu of on-site provision. At the time of writing, these contributions are yet to be agreed by the applicant but should be secured to mitigate the impact of the development.
- 4.3.116. Subject to the agreement of financial contributions towards off-site sport provision, the proposal is considered to comply with the relevant requirements of the Local Plan. The development would provide open space in excess of the expected minimum requirements, which would weigh in favour of the proposal. However, in the absence of a detailed breakdown of the proposed open space typologies at this outline stage, only limited positive weight can be attribute to this matter in the planning balance.

Loss of Agricultural Land:

- 4.3.117. Paragraph 187 (b) of the NPPF sets out that planning decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services including the economic and other benefits of the best and most versatile agricultural land.
- 4.3.118. Footnote 65, which relates to paragraph 187 of the NPPF states '*where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality*'.
- 4.3.119. Best and most versatile land (BMV) is defined in the NPPF as land in grades 1 (excellent quality), 2 (very good quality), and 3a (good quality) of the Agricultural Land Classification.
- 4.3.120. The Planning Statement sets out that the land is grade 3 and the LVIA categorises the land as grade 2. In any case, while the proposal would result in the loss of BMV agricultural land, it is acknowledged that the loss of some BMV land will be necessary to achieve the District's housing needs, which could not be met within existing urban areas. Overall, the proposal would result in the permanent loss of a small area of BMV within the district and therefore limited weight is given to the harm in the planning balance.

Climate Change & Sustainability:

- 4.3.121. Section 2 of the NPPF, 'Achieving sustainable development', requires the sustainability credentials of proposals to be considered. Paragraph 8 requires that all three objectives – economic, social and environmental - of the planning system would be met. Section 14 'Meeting the challenge of climate change', flooding and coastal change confirms that the planning system should support the transition to a low carbon future in a changing climate.
- 4.3.122. Policy D1 of the NHLP sets out that the Council will support development proposals that reduce energy consumption and waste.

4.3.123. The application is accompanied by a 'Sustainability and Energy Statement'. Given that the application is for outline permission, the statement provided is broad and finer details can be expected as part of a future reserved matters application in line with the Sustainability SPD 2024. Based on the submitted statement, the proposed development would broadly comply with the planning policies in relation to waste and energy. This matter weighs as neutral in the planning balance.

Environmental Impacts:

4.3.124. Following consultation with the Council's Environmental Health Officer, no objections or concerns have been raised with regards to noise, air quality, or land contamination subject to conditions.

Section 106:

4.3.125. In considering planning obligations in relation to this development NPPF para. 58 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.'

4.3.126. 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.

4.3.127. The section below outlines the Heads of Terms and financial contributions sought by statutory bodies.

4.3.128. The applicant has not yet confirmed agreement to the planning obligations detailed below. Notwithstanding this, it is recommended that Members resolve to grant outline planning permission subject to the completion of a Section 106 agreement to secure the required mitigation measures, infrastructure contributions, and other planning obligations necessary to make the development acceptable in planning terms. It is recommended that final agreement is delegated to the Development and Conservation Manager.

Element	Details	Justification
Affordable Housing (NHDC)	Based on 50 units, on-site provision of 40% (approx.. 20 units), which should be 65% rented tenure and 35% intermediate tenure.	NHDC Developer Contributions SPD (2023) Policy HS2 of the NHLP.
Primary Education (HCC)	£775,325 index linked to BCIS 1Q2024	Policy SP7 Infrastructure requirements and developer contributions

	Towards the expansion of Pirton Primary School and/or provision serving the development.	Developer Contributions SPD HCC 'Guide to Developer Infrastructure Contributions' 2024
Secondary Education (HCC)	£713,910 index linked to BCIS 1Q2024 Towards the expansion of The Priory Secondary School and/or provision serving the development	Policy SP7 Infrastructure requirements and developer contributions Developer Contributions SPD HCC 'Guide to Developer Infrastructure Contributions' 2024
Childcare contribution 0-2 years old (HCC)	£12,911 index linked to BCIS 1Q2024 Towards increasing the capacity of 0-2 year old childcare facilities at Pirton Pre-School and/or provision serving the development	Policy SP7 Infrastructure requirements and developer contributions Developer Contributions SPD HCC 'Guide to Developer Infrastructure Contributions' 2024
Childcare Contribution 5-11 year olds (HCC)	£927 index linked to BCIS 1Q2024 Towards increasing the capacity of 5-11 year old childcare facilities at Pirton Primary School and/or provision serving the development	Policy SP7 Infrastructure requirements and developer contributions Developer Contributions SPD HCC 'Guide to Developer Infrastructure Contributions' 2024
Special Educational Needs and Disabilities (SEND) Contribution (HCC)	£97,446 index linked to BCIS 1Q2024 Towards new Severe Learning Difficulty (SLD) special school places (EAST) and/or provision serving the development	Policy SP7 Infrastructure requirements and developer contributions Developer Contributions SPD HCC 'Guide to Developer Infrastructure Contributions' 2024
Library Services (HCC)	£15,051 index linked to BCIS 1Q2024 Towards increasing the capacity of Hitchin Library and/or provision serving the development	Policy SP7 Infrastructure requirements and developer contributions Developer Contributions SPD HCC 'Guide to Developer Infrastructure Contributions' 2024

Youth Service (HCC)	£10,533 index linked to BCIS 1Q2024 Towards resource requirements to support the delivery of youth work with young people in the area and/or provision serving the development	Policy SP7 Infrastructure requirements and developer contributions Developer Contributions SPD HCC 'Guide to Developer Infrastructure Contributions' 2024
Waste Transfer Station (HCC)	£15,068 index linked to BCIS 1Q2024 Towards the new Northern Transfer Station and/or provision serving the development	Policy SP7 Infrastructure requirements and developer contributions Developer Contributions SPD HCC 'Guide to Developer Infrastructure Contributions' 2024
Fire & Rescue Service (HCC)	£1,244 index linked to BCIS 1Q2024 Towards new appliances and/or equipment and/or provision serving the development	Policy SP7 Infrastructure requirements and developer contributions Developer Contributions SPD HCC 'Guide to Developer Infrastructure Contributions' 2024
Strand 1 Highways Contribution (HCC)	£307,000 index linked to CPI Towards bus services to improve sustainable transport options.	Policy SP7 Infrastructure requirements and developer contributions Developer Contributions SPD HCC 'Guide to Developer Infrastructure Contributions' 2024 HCC Technical Appendix 1: Transport
Strand 2 Highways Contribution (HCC)	£493,050 index linked to CPI Towards the delivery of active travel infrastructure to enable active travel trips in the area, with a focus on enhancing cycle connections. Contribution would be used for schemes including, but not limited to, the improvements to LCWIP	Policy SP7 Infrastructure requirements and developer contributions Developer Contributions SPD HCC 'Guide to Developer Infrastructure Contributions' 2024 HCC Technical Appendix 1: Transport

	routes and a scheme of PROW improvements to Hitchin. Contributions would also be put towards bus stop upgrades.	
Sport England – Outdoor Facilities (NHDC/Sport England)	£94,552 (index linked) contribution towards outdoor sport facilities comprised of: Adult/Youth/Mini Football Football Pitches: £13,239 towards enhancing football pitch quality at Walsworth Common. Changing Rooms: £36,538 towards improvements to ancillary facilities at Ickleford Sport and Recreation Club or towards the provision of a new changing pavilion at Walsworth Common. Cricket: Cricket Pitch: £7,861 towards improving the cricket square at Ickleford Sport and Recreation Club through a non turf or hybrid wickets. Changing Rooms: £9,008 towards improved ancillary facilities at Ickleford Sport and Recreation Club. Rugby Union and Rugby League: Rugby Pitches: £3,852 towards pitch works, including sports lighting and drainage, at the Hitchin Rugby Club site at King George V Playing Field in Hitchin	NHDC Developer Contributions SPD (2023) Policy SP7 Policy SP10 Policy NE6 North Herts Playing Pitch & Outdoor Sport Strategy (2025)

	which is also used by North Herts Crusaders Rugby League Club. Changing Rooms: £9,254 towards RFU specification changing rooms at the Hitchin Rugby Club site at King George V Playing Field in Hitchin which is also used by North Herts Crusaders Rugby League Club. Hockey: £3,775 contribution towards resurfacing either a) Hitchin Boys School and/or b) Lucas Land Sports Ground (both used by Bluehearts Hockey Club). Artificial Grass Pitch: £11,025 contribution towards a second 3G AGP at The Priory School in Hitchin. All of the above contributions to be index linked.	
Sport England – Indoor Facilities (NHDC/Sport England)	£57,265 (index linked) Contribution towards indoor sport facilities: Swimming Pools: - Contribution of £31,249 towards Hitchin Swimming and Fitness Centre: Indoor pool surround tile replacement scheme. Sports Halls: - Contribution of £24,045 towards improvements to Hitchin Swimming	NHDC Developer Contributions SPD (2023) North Herts Indoor Sports Strategy (2025) Policy SP7 Policy SP10

	Centre and Fitness Centre: Active Play Hub. Outdoor Tennis Courts: Contribution of £1,971 towards improving the court quality at King George V Playing Field in Hitchin.	
Monitoring Fees (HCC)	Monitoring Fees – HCC will charge monitoring fees. These will be based on the number of triggers within each legal agreement with each distinct trigger point attracting a charge of £420 (adjusted for inflation against RPI January 2024). For further information on monitoring fees please see section 5.5 of the Guide to Developer Infrastructure Contributions.	HCC 'Guide to Developer Infrastructure Contributions' 2024
GP Practice (Bedfordshire, Luton and Milton Keynes NHS)	GP Practice contribution towards the cost of phase two of the relocation, reconfiguration and/or extending facilities of Lower Stondon Surgery. £89,550 index linked	Policy SP7 Infrastructure requirements and developer contributions Developer Contributions SPD
Pirton Parish Council	Village Hall contribution of £13,300 (index linked) for works including upgrading access and ramp. Installation of locking mechanism to allow rooms to be secured separately and enable multi use of the hall. Upgrading of toilet facilities, including disabled toilets and child changing facilities. Resurfacing of access to hall including driveway, car park, and access to hall entrances.	Policy SP7 Infrastructure requirements and developer contributions Developer Contributions SPD

Open Space Management and Maintenance Scheme for open space including play and SuDs and non-adopted roads (NHC)	Open Space Management and Maintenance Scheme to include: a) Details of landscape management and maintenance plans; b) Details of planting, grass cutting, weeding and pruning; c) Management of sustainable urban drainage features; d) Management of biodiversity enhancements; 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	
NHDC Monitoring Fees	2.5% of NHC contributions, minimum £750 and capped at £25,000.	Developer Contributions SPD

4.3.129. The above obligations would form part of a Section 106 agreement. No Section 106 agreement has been completed at the time of writing. With the above Heads of Terms, this matter weighs as neutral in the planning balance.

Planning Balance and Conclusion:

4.3.130. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 and Section 70 (2) of the Town and Country Planning Act 1990 requires a Planning Authority to determine applications in accordance with the development plan unless material considerations indicate otherwise.

4.3.131. The Council cannot demonstrate a five-year housing land supply and therefore the local plan policies most important for determining this application are out-of-date and the 'tilted balance' is engaged in favour of the provision of housing.

4.3.132. The proposed development would provide up to 50 dwelling, 30 of which would be market homes. The provision of these homes is given significant weight in favour of the proposal.

- 4.3.133. In addition to the 30 market homes, the development would deliver 20 affordable homes. Given the shortfall of affordable home provision within the district and the consistent under delivery year on year, the provision of affordable homes are given very significant weight in favour of the proposed development.
- 4.3.134. The proposed development would generate economic benefits through the construction of the site. Although these benefits would be temporary. Economic benefits to the locality created by future occupiers would be modest given the scale of the site. The economic benefits of the scheme are given moderate weight in favour of the proposed development.
- 4.3.135. It is acknowledged that the site would feature large areas of open space, beyond what is required by policy and guidance. However, due to the absence of a detailed breakdown of the proposed open space typologies at this outline stage, only limited positive weight can be attribute to this matter in the planning balance.
- 4.3.136. The proposal would conflict with Policies SP5 and CGB1 of the Local Plan. Given that the Council cannot demonstrate a five year housing land supply, the policies are out-of-date for the purposes of paragraph 11(d) of the NPPF. Reduced weight is therefore given to these policies. The site adjoins the existing village, with existing residential development to the north and west. To the south is the recreation ground and then open countryside to the east. The development is considered a logical extension of the village. However, the loss of the currently undeveloped site would change the character and appearance of the area. The resulting harm is considered to be limited.
- 4.3.137. The proposal would result in the loss of Best and Most Versatile (BMV) agricultural land. This is given limited weight in the planning balance.
- 4.3.138. The below table sets out the benefits and harms and the weight associated with each relevant issue covered in the report above (note that neutral matters are not listed below):

Consideration	Weight
Benefits	
Market Housing (30 Units)	Significant
Affordable Housing (20 Units)	Very significant
Economic Benefits	Moderate
Open Space over-provision	Limited
Harms	
Rural Area beyond the Green Belt (reduced weight due to policy being 'out-of-date')	Limited
Loss of BMV agricultural land	Limited

- 4.3.139. In conclusion of the above, the proposal is considered to be a logical extension of the village that would make an important contribution towards market and affordable housing land supply within the district. The collective benefits of the proposal would be substantial. Any adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF 2024 taken as a whole. The scheme benefits from the presumption in favour of sustainable development. It is recommended that planning permission be granted.

5. **Climate Change Mitigation Measures**

- 5.1. Climate change has been addressed throughout this report and is a matter at the heart of this application in terms of the significant contribution the proposed development would make to renewable energy generation and the goal of achieving net zero carbon within the District by 2040 and within the UK by 2050.

6. **Legal Implications**

- 6.1. 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 where restrictive conditions are attached, the applicant has a right of appeal against the decision.

7. **Recommendation**

- 7.1. That planning permission is resolved to be **GRANTED** subject to:
- A) The completion of a satisfactory legal agreement and the applicant agreeing to extend the statutory period in order to complete the agreement; and
 - B) Providing delegated powers to the Development and Conservation Manager to (i) resolve outstanding matters including financial contributions and (ii) update conditions and informatives with minor amendments as required; and
 - C) The conditions set out below:

Time Limit

1. Before the development hereby permitted is commenced, approval of the siting, design, and external appearance of the development, and the access and landscaping of the site (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 Permitted 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.

Approved Plans and Documents

3. The development hereby permitted shall be carried out in accordance with the plans listed below, together with the reserved matters approved by the Local Planning Authority, or with minor modifications of those details or reserved

matters which previously have been agreed in writing by the Local Planning Authority as being not materially different from those initially approved:

- 22130(D)010 Rev C – Location Plan
- 22130(D)020 Rev G – Land Use Plan
- 22130(D)021 Rev B – Framework Plan
- 22130(D)022 – Access Plan
- 22130(D)026 – Illustrative Site Plan with Land use Plan Overlay
- 22130(D)028 Rev A - Framework Plan with Illustrative Layout Underlay
- 2210-050 PL01 – Proposed Access Road Extension
- 2210-050 PL02 – Proposed Hambridge Way Emergency Access
- 2210-050 PL04 Rev A – Proposed Pedestrian and Cycle Access
- 2210-050 SP04 Rev A – Swept Path Analysis of a 11.2m Refuse Collection Vehicle – Hambridge Way
- 2210-050 SP05 Rev A – Swept Path Analysis of a Fire Tender Vehicle – Hambridge Way

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.

Waste and Recycling Storage

4. No dwelling shall be occupied until a scheme setting out details of all on-site household storage facilities for waste including waste for recycling and/or composting (including details of any enclosures of screening) to serve each dwelling in accordance with the Council's Waste and Recycling Strategy at the time of submission, has been submitted to and approved in writing by the Local Planning Authority.

Such details shall identify the specific position of where wheeled bins will be stationed, and the specific arrangements to enable collection from the kerbside of the adopted highway/refuse collection vehicles access point in accordance with the walk distances set out in the Council's approved waste collection strategy.

The scheme shall also include arrangements for management of any other waste generated by the development. All such facilities shall be provided in accordance with the approved details prior to the first occupation of the corresponding dwellings and shall be maintained and retained thereafter.

Reason: To facilitate refuse and recycling collection. To protect the amenities of nearby residents and occupiers in the interests of visual amenity and to comply with Policies D1 and D3 of the North Hertfordshire Local Plan 2011-2031.

Arboricultural Method Statement

5. Prior to or concurrent with each Reserved Matters application, the following documents shall be submitted to and approved in writing by the Local Planning Authority in accordance with best practice including BS5837 (Trees in relation to construction) –

- a. Arboricultural Method Statement
- b. External underground service plan illustrating the routes of all cables and pipes.

Thereafter, the development shall be carried out and completed in accordance with the approved details.

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

Tree Retention

6. 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.

Tree Replacement

7. Any tree lopped, topped, felled, uprooted, removed or otherwise destroyed or killed contrary to the provision of the tree retention condition above shall be replaced during the same or next planting season with another tree of a size and species as agreed in writing with the Local Planning Authority, unless the LPA agrees in writing to dispense with this requirement.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality.

Soft Landscaping Provision

8. Notwithstanding any details included in the submitted plans, all reserved matters applications for any development parcel or sub-phase shall include details of soft landscaping.

These details shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants noting species, plant sizes and proposed numbers/ densities and tree pit construction and soil volumes.

The approved scheme of soft landscaping works shall be implemented not later than the first planting season following commencement of the development (or within such extended period as may first be agreed in writing with the Local Planning Authority). Any planting removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season thereafter with planting of similar size and species unless the Local Planning Authority gives written consent for any variation.

Any trees, hedges, shrubs or turf identified within the approved landscaping details (both proposed planting and existing) which die, are removed, seriously damaged or seriously diseased, within a period of 10 years of being planted or in the case of existing planting within a period of 5 years from the commencement of development, shall be replaced in the next planting season with others of similar size and species.

Reason - In the interests of character and visual amenity and ensuring compliance with North Herts Local Plan Policies SP9 and NE2 and the National Planning Policy Framework.

Hard Landscaping and Boundary Treatment Provision

9. Notwithstanding any details included in the submitted plans, all reserved matters applications for any development parcel or sub-phase shall include details of hard landscaping and boundary treatments.

These details shall include proposed finished levels and contours showing earthworks and mounding; surfacing materials; hard surfacing material specifications; minor artefacts and structures (for example furniture, refuse and/or other storage units, signs, lighting and similar features); boundary treatments and proposed and existing functional services above and below ground (for example drainage, power, communications cables and pipelines, indicating lines, manholes, supports and other technical features).

Reason: In the interests of character and visual amenity and ensuring compliance with North Herts Local Plan Policies SP9 and NE2 and the National Planning Policy Framework.

Open Space Management and Maintenance

10. Any reserved matters applications shall include a detailed Open Space Management and Maintenance Scheme for the management and maintenance of all areas of open space (to include parks, greenways, allotments, play areas, informal open space, semi-natural green space, public squares) shall be submitted to and agreed in writing by the Local Planning Authority. 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 Policy NE6 of the North Hertfordshire Local Plan

Highways Improvements – Off Site

11. Part A Design Approval: Notwithstanding the details indicated on the submitted drawings, no on-site works prior to occupation shall commence until a detailed scheme for the off-site highway improvement works and accesses (including those from the site to the PRow network) have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority, as indicated on:

- Concept / Parameters Plan (Drawing No. 22130 (D) 015 Rev D, dated 27/08/2025);
- Proposed Access Road Extension (Drawing No. 2210-050 PL01 Rev A, dated 17/11/2025);
- Proposed Hambridge Way Emergency Access (Drawing No. 2210-050 PL02 Rev A, dated 18/11/2025);
- Proposed Pedestrian and Cycle Access (Drawing No. 2210-050 PL04 Rev -, dated 20/11/2025); and
- Proposed Hambridge Way Junction Improvements (Drawing No. 2210-050 PL03 Rev B, dated 16/02/2026).

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

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

Reserved Matters Design Code

12. The hereby approved development must incorporate and demonstrate the following at the Reserved Matters Stage:

- Cycle Parking at a minimum ratio of 1 space per bedroom for each dwelling;
- EV Charging points in line with Building Regulations Part S;
- An on-site layout that encourages residents to access the active travel connections onto Hambridge Way, Walnut Tree Road; and
- Details of the surfacing and width of on-site connections that will join the PRow network to the north (Bridleway 21), south (PRow 5) and east (PRow 13) of the site boundary.

Reason: To support and encourage sustainable travel in accordance with Policies 1 & 5 of Hertfordshire's Local Transport Plan.

Construction Management Plan

13. No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority, including elements of the CLOCS standards as set out in the Highway Authority's Construction Management template. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan.

The Construction Management Plan shall include details of:

- a. Construction vehicle numbers, type, routing during construction with the Plan to also specifically address requirements during the remediation works and anticipated HGV numbers;
- b. Access arrangements to / from the site including management of HGVs and how they will be managed to and from the site from key routes A roads;
- c. Traffic management requirements including robust procedures to warn pedestrians and cyclists of construction on-site and warn oncoming vehicles approaching the site;
- d. Construction and storage compounds (including areas designated for car parking, loading unloading and turning areas);
- e. Siting and details of wheel washing facilities;
- f. Cleaning of site entrances, site tracks and the adjacent public highway, which must be rigorously carried out to ensure there is no debris on the local highway;
- g. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
- h. Provision of sufficient on-site parking prior to commencement of construction activities;
- i. Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
- j. Where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements; and
- k. Phasing Plan.

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

Travel Plan Statement

14. At least 3 months prior to the first occupation of the approved development a detailed Travel Plan Statement for the site shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highways Authority. The approved Travel Plan Statement shall be implemented in accordance with the timetable and target contained therein and shall continue to be implemented as long as any part of the development is occupied subject to

approved modifications agreed by the Local Planning Authority in consultation with the Highway Authority as part of the annual review.

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

Used Water Network

15. No development shall commence until a strategic foul water strategy has been submitted to and approved in writing by the Local Planning Authority, in consultation with Anglian Water. This strategy should identify the connection point which is to the 150mm foul sewer manhole 9602 located in Hambridge Way at national grid reference TL 14964 31678 or to an alternative SPOC which is to manhole MH8503 150mm foul sewer located in Walnut Tree Road at a national grid reference TL 14881 31524. Prior to occupation, the foul water drainage works must have been carried out in complete accordance with the approved scheme.

Reason: To reduce the impacts of flooding and potential pollution risk

Archaeological Written Scheme of Investigation

16. 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 site investigation and recording, and preservation of archaeological remains as required by the evaluation and revision of the Masterplan as necessary to reflect these requirements
 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 HE4 and Section 16 of the NPPF 2021.

17. 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 (X)

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 HE4 and Section 16 of the NPPF 2021.

18. 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 (X) 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 HE4 and Section 16 of the NPPF 2021.

Fire Safety

19. Before the first occupation of any dwellinghouses hereby permitted, details of a fire hydrant(s) shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include provision of the mains water services for the development whether by means of existing water services, new mains, or extension to or diversion of existing services where the provision of fire hydrants is considered necessary. The hydrant(s) shall be provided in accordance with the approved details prior to the first occupation of the development.

Reason: To ensure adequate fire protection for the development by way of appropriately located hydrant facilities.

Site Waste Management Plan (SWMP)

20. 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).

Surface Water Drainage Scheme

21. Prior to or in conjunction with the submission of each reserved matters application, in accordance with the submitted Flood Risk Assessment (ST3657/FRA-2507-REV2, August 2025) and Response to LLFA comment's (ST-3657/2511-LLFA Response), 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:

1. Surface water runoff rates will be attenuated to the 1 in 2-year greenfield runoff rate, or 2l/s/ha.
2. 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).
3. Final confirmation of the capacity and condition of the receiving watercourse.
4. Detailed designs, modelling calculations and plans of the drainage conveyance network in the:
 - 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.
 - 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.
5. The design of any attenuation 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.
6. 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.
7. 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.
8. 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. This will also include the ordinary watercourse and any structures, such as culverts, within the development boundary.

Reason: To prevent flooding in accordance with National Planning Policy Framework paragraphs 181,182 and 187 by ensuring the satisfactory management of local sources of flooding surface water flow paths, storage and

disposal of surface water from the site in a range of rainfall events and ensuring the SuDS proposed operates as designed for the lifetime of the development.

Interim and Temporary Drainage Measures

22. 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.

Maintenance and Management of Sustainable Drainage Scheme

23. The development hereby approved shall not be occupied 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:
1. a timetable for its implementation.
 2. details of SuDS feature and connecting drainage structures and maintenance requirement for each aspect including a drawing showing where they are located.
 3. 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.

Detailed Verification Report

24. 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 Herts Council

Biodiversity Net Gain

25. 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 Hertfordshire District Council.

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

(<https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments>).

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

Construction Ecological Management Plan

26. Full details of a Construction Environmental Management Plan (CEMP) including a section for ecology, for the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of each phase of development (including any pre-construction or enabling works). The construction of the development shall thereafter be carried out in complete accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority. The Plan shall include but not necessarily be limited to the following:

- a. A review of any ecological impacts informed by the submitted ecological report (Preliminary Ecological Appraisal by MKA Ecology);
- b. Risk assessment of potentially damaging construction activities;
- c. Identification of 'biodiversity protection zones';
- d. A set of method statements outlining practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction;

- e. The location and timings of sensitive works to avoid harm to biodiversity features (e.g. daylight working hours only starting one hour after sunrise and ceasing one hour before sunset);
- f. Use of protective fences, exclusion barriers and warning signs, including advanced installation and maintenance during the construction period;
- g. A non-native invasive species protocol (e.g. for Japanese knotweed);
- h. The times during construction when specialist ecologists need to be present on site to oversee works;
- i. Responsible persons and lines of communication;
- j. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.

Reason: To ensure the environmental impacts of the development are controlled in the interests of minimising disruption nearby residents during construction, minimising any environmental impacts, in the interests of highway safety and amenity and in accordance with Policies D3, T1 and NE12 contained in the North Hertfordshire Local Plan.

Ecological Enhancement Plan

27. No development above slab level shall take place until an Ecological Enhancement Plan (EEP) for the site, for the creation of new wildlife features including integrated bird/bat and bee boxes in buildings/structures, where heights allow swift bricks should be used, together with hedgehog holes in boundary features has been submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with approved the EEP and features thereafter retained. The approved measures shall be implemented prior to occupation of the relevant phase.

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

Habitat Management & Monitoring Plan

28. No development shall take place until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan 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 to create or improve habitat to achieve the biodiversity net gain 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; and
 - e. the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority, has been submitted to, and approved in writing by, the local planning authority.

Notice in writing shall be given to the Council when the:

- a. HMMP has been implemented; and
- b. habitat creation and enhancement works as set out in the HMMP have been completed.

The created habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP.

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

Lighting Strategy

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

Reason: To ensure that the development is ecologically sensitive in accordance with North Hertfordshire Local Plan Policy NE4.

Noise Mitigation Scheme

30. Prior to the commencement of development a scheme shall be submitted for the protection of the dwellings from noise for approval in writing by the Local Planning Authority. The scheme shall be in accordance with the recommendations stated in the Cass Allen Ltd report (Ref: RP01-25395-R0) dated 12th August 2025. No dwellings shall be occupied until the scheme providing protection for those dwellings has been implemented in accordance with the approved details. The approved scheme shall be retained in accordance with those details thereafter.

Reason: To protect the residential amenity of future occupants in accordance with the aims of Policy D3 of the North Hertfordshire Local Plan 2011-2031.

Land Contamination

31. Any contamination that is found during the course of construction of the development permitted that was not previously identified shall be reported immediately to the local planning authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the local planning authority. These approved schemes shall be implemented prior to the development being resumed or continued.

Reason: To ensure that any contamination affecting the site is dealt with in a manner that safeguards human health, the built and natural environment and controlled waters in accordance with North Hertfordshire Local Plan Policy NE11.

Energy and Sustainability

32. The development hereby approved shall be constructed in accordance with the submitted Sustainability and Energy Statement prepared by Turley (dated August 2025), and details of the proposed air source heat pumps submitted to and approved in writing by the Local Planning Authority prior to their installation, and the identified sustainability measures shall be maintained and retained thereafter.

Reason: To reduce the carbon footprint of the development and promoting principles of sustainable construction and the efficient use of buildings in accordance with North Hertfordshire Local Plan Policies SP9 and D1, and the adopted Sustainability SPD (2024).

Proactive Statement:

Planning permission has been granted for this proposal. The Council acted proactively through positive engagement with the applicant 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.