



Land South of Cowards Lane, Codicote

Planning Statement

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Prepared for:
Hawridge Strategic Land Ltd

Prepared by:
Stantec Planning

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Land South of Cowards Lane, Codicote

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Prepared by:

Signature
Ruby Jones / Kathryn Ventham

Printed Name

Reviewed by:

Signature
Kathryn Ventham

Printed Name

Approved by:

Signature
Kathryn Ventham

Printed Name



Contents

1	Introduction.....	6
1.1	Introduction	6
1.2	Planning Application Pack	6
1.3	Hawridge Strategic Land Ltd	6
1.4	Planning Statement Structure	6
2	The Site and Surroundings	8
2.2	The Site	8
2.3	The Surrounding Area	8
2.4	Planning History	9
3	Pre-Application Engagement.....	11
3.1	Pre-Application Engagement.....	11
3.2	Consultation and Engagement.....	11
3.3	Summary.....	11
4	The Proposed Development.....	13
4.1	The Site Proposals	13
4.2	Masterplan, Layout and Design.....	13
4.3	Housing Mix	14
4.4	Affordable Housing Statement	14
4.5	Access.....	14
4.6	Reserved Matters	15
4.7	Planning Obligations.....	15
4.8	Benefits.....	15
5	Planning Policy	17
5.1	Introduction	17
5.2	The Development Plan	17
5.3	North Hertfordshire Local Plan 2011-2031	17
5.4	Hertfordshire Waste Core Strategy and Development Management Policies Document 2011-2026 and Hertfordshire Minerals Local Plan 2002-2016	21
5.5	Summary of Development Plan.....	21
5.6	Other Material Considerations	22
5.7	National Planning Policy Framework (NPPF) (2024)	22
5.8	Written Ministerial Statement and Housing Supply	25
5.9	Affordable and Social Homes – Press Release	26
5.10	North Hertfordshire Local Plan Review.....	27
5.11	Codicote Neighbourhood Plan	27
5.12	Housing Land Supply	28
5.13	Supplementary Planning Documents.....	28
6	Green Belt, Grey Belt and Very Special Circumstances	29
6.1	Green Belt Policy	29
6.2	Grey Belt Policy.....	30



6.3	Very Special Circumstances	32
7	Planning Assessment.....	34
7.1	Planning Assessment.....	34
7.2	Decision-Making Approach.....	34
7.3	Principle of Development	34
7.4	The Need for Market Housing.....	35
7.5	The Need for Affordable Housing	35
7.6	High Quality Design.....	36
7.7	Residential Amenity.....	36
7.8	Arboriculture.....	37
7.9	Ecology and BNG	37
7.10	Energy and Sustainability.....	38
7.11	Flood Risk and Drainage.....	39
7.12	Heritage and Archaeology	39
7.13	Landscape and Visual Impact.....	40
7.14	Noise.....	41
7.15	Air Quality.....	42
7.16	Transport and Access	42
7.17	Planning Balance.....	43
7.18	Flat Balance	45
7.19	Tilted Balance	45
8	Draft Terms of Agreement for a Section 106 Agreement	46
8.1	Draft Terms of Agreement	46
9	Summary and Conclusions.....	47
9.1	Summary.....	47
9.2	Decision-Making Approach	47
	North Hertfordshire Local Plan (2022)	49
	Codicote Neighbourhood Plan Submission Version (Emerging).....	59



1 Introduction

1.1 Introduction

1.1.1 This Planning Statement has been prepared by Stantec on behalf of Hawridge Strategic Land Ltd (the 'Applicant') in support of residential development of Land South of Cowards Lane, Codicote. Access is a detailed matter for consideration and matters of appearance, landscaping, layout and scale are reserved for future approval.

1.1.2 Outline planning permission is sought for the following description of development:

Outline planning application for residential development with means of access for consideration and all other matters reserved for subsequent approval; demolition of all existing structures; associated landscaping, drainage, car parking; infrastructure and all ancillary and enabling works.

1.2 Planning Application Pack

1.2.1 This Planning Statement should be read alongside the other documents and plans, which are submitted as part of this application. The relevant documents and plans are listed within the supporting Cover Letter.

1.3 Hawridge Strategic Land Ltd

1.3.1 Hawridge is part of the W.E Black group of companies, which has been trading for over a century and is one of the South East's leading SME housebuilders, with an unrivalled reputation for location, quality and design.

1.4 Planning Statement Structure

1.4.1 This Statement provides an overview of all aspects of the proposed development and an assessment of its appropriateness against the Development Plan and other material considerations. The scope of this statement is as follows:

- **Section 2** describes the Application Site and the main features of the surrounding area, including planning history;
- **Section 3** sets out the pre-application engagement undertaken by the Applicant and details of consultation and engagement;
- **Section 4** outlines the main components and features of the proposed development;
- **Section 5** outlines the relevant planning policy context of the Application Site and the proposed development;



Land South of Cowards Lane, Codicote

- **Section 6** provides our planning assessment of the proposed development including overall compliance with adopted Development Plan Policy and other material considerations;
- **Section 7** assesses the planning balance exercise;
- **Section 8** sets out the draft S106 Heads of Terms; and
- **Section 9** provides a summary and our conclusions on the proposed development.



2 The Site and Surroundings

2.1.1 This section provides detail on the Application Site's location, surroundings and key physical characteristics.

2.2 The Site

2.2.1 The Application Site is located on the southern edge of Codicote, which is a village in North Hertfordshire. The Site comprises agricultural land with an area of approximately 1.39

2.2.2 The Site is bordered by dense existing hedgerows and trees on the southern and western boundaries. To the north and east, the Site is bounded by the rear gardens of residential dwellings, which have frontages with Cowards Lane and St Albans Road. The existing hedgerows contribute toward a strong defensible boundary for the Site.

2.2.3 There is pedestrian and vehicular access to the Site from Cowards Lane.

2.2.4 One public right of way (PRoW023) crosses the Site from Cowards Lane across the Site to the south. The PRoW connects Cowards Lane with St Albans Road.

2.2.5 The Site is located within Flood Zone 1 (Low Probability – land shown to be at less than 0.1% chance of flooding in any year).

2.2.6 The application site is located in Flood Zone 1.

2.2.7 There are no listed buildings in close proximity to the Site. There are numerous listed buildings located within Codicote Conservation Area, which is located to the north of the Site covering more central and northern parts of Codicote.

2.3 The Surrounding Area

2.3.1 The Site is located on the southern edge of Codicote, which is a village in north Hertfordshire. Codicote is surrounded by several hamlets including, Drivers End, Nup End, Hogsnorton, Rabley Heath and Potters Heath. To the north of the Site are larger settlements of Hitchin and Stevenage and to the south is Welwyn.

2.3.2 Access to the Site would be from Cowards Lane. There is an existing track vehicular access from Cowards Lane serving access to Marlin and Field House at the entrance of the Site and the Site beyond.

2.3.3 The closest bus stop to the Site is New Town, which is located on the High Street approximately 0.3 miles from the Site access and serves the routes 215, 314 and 315. The bus routes provide onward connections to Welwyn and Hitchin.



- 2.3.4 The closest Railway stations to the Site are Stevenage located approximately 5.3 miles (a 14-minute drive or 36-minute cycle) from the Site and Welwyn Garden City located approximately 4.9 miles (a 13-minute drive or 31-minute cycle). The Railway stations are both major stations, with Thameslink, Great Northern and North Eastern services, which provide direct connections to Cambridge, London, York and Brighton, as well as Gatwick Airport.
- 2.3.5 There are a number of facilities and services within walking distance of the Site located on the High Street. These facilities include local shops, a post office, pharmacy, bakery, butcher, pubs and restaurants.
- 2.3.6 The Site is opposite a large recreational playing field off St. Albans Road, which comprises a large, grassed area, football goal posts, play equipment for both younger and older children and basketball hoops. The Site is also within walking distance of a number of other sports and recreational facilities including Bury Lane Sports field and John Clements Sports and Community Centre.
- 2.3.7 There are schools in the local area with the closest Primary School being Codicote Church of England, approximately a 13-minute walk from the Site and Codicote Childcare and Pre-School, approximately a 17-minute walk from the Site.

2.4 Planning History

- 2.4.1 There is no planning history for the Application Site. There are however pending relevant planning applications surrounding the Site:
- **23/02895/OP** – ‘Outline planning application for the erection of up to 42 residential dwellings, including affordable housing, public open space, landscape planting, sustainable drainage system and new access arrangements from The Close (all matters reserved except means of access)’ at Land on the northeast side of The Close, Codicote. The application was submitted in December 2023, however, remains undetermined.
- 2.4.2 Below are examples of other nearby planning applications/permissions from recent years:
- **23/00743/RM** – ‘Reserved Matters application for approval of the details of the appearance, landscaping, layout and scale of the development for 80 dwellings including streets, car parking, open space and associated works (pursuant to Outline application 17/01464/1 granted 2 November 2022)’ at Land Adjacent to Oaklea and South of Cowards Lane, Codicote. The application was granted on 28 June 2024, and the site is currently under construction.



Land South of Cowards Lane, Codicote

- **19/01448/FP** – ‘Residential development of 66 dwellings and associated new local open space, access and associated works’ at Former Wyevale Codicote Garden Centre, High Street, Codicote. The application was granted on 30 January 2023.
- **18/02722/FP** – ‘Residential development of 167 dwellings (Use Class C3) and associated works including formal open space, internal road network, landscape enhancement and creation of accesses from Heath Lane and St Albans Road; and the demolition of 66 St Albans Road’ at Land South of Heath Lane, Codicote. The application was allowed at Appeal on 28 September 2021.

2.4.3 There are no other relevant past applications.



3 Pre-Application Engagement

3.1 Pre-Application Engagement

- 3.1.1 Prior to submission of the planning application, the proposals for the incorporation of the PROW into the application scheme were discussed and agreed with the PROW officer.

3.2 Consultation and Engagement

- 3.2.1 A leaflet was distributed in the local area on Thursday 26th June 2024 – to 180 homes and 4 businesses closest to the application site.

3.3 Summary

- 3.3.1 Six responses were received raising matters of:

Need for housing / affordable housing

- Acknowledging the need for new homes and the inclusion of affordable homes.
- Question the need for more homes and what is meant by affordable homes.
- Further development should be paused until existing developments have been completed and had time to integrate into the community.

Response: The need for more homes and more affordable homes is well established at a national level – hence the Government's priority focus on increasing the rate of housebuilding.

Whilst concerns in respect of the volume of the development in the village are noted, it is necessary to show what harm would result from further development. The application will be the subject of consultation with statutory consultees during the planning application process and necessary contributions will be made to mitigate the impact of the development of the site.

Highways

- Concern in respect of the impact on traffic in Codicote due to potential for congestion on local roads alongside safety risks for pedestrians and cyclists.
- Lack of public transport.
- Need for a traffic assessment covering the above.
- Cowards Lane is not suitable for 2-way traffic.
- Proposals should include provisions for improving road structure in the village; and improved footpaths.



- How will improved connectivity to existing open space be achieved?

Response: Highway matters are picked up in the Transport Statement.

Impact on equestrian activity

- Impact of additional cars on the road on equestrian activity.
- Request for funds to upgraded bridleway provision.
- Greater consideration for equestrian activities in planning process.

Response: the highway authority considers all road users and will, in conjunction with the Rights of Way Officer, make requests for any necessary contributions.

Local Services

- Impact on local services (especially Doctors).
- How will long term jobs be created?

Response: During the course of the planning application process, requests will be received from service providers (including the NHS) for any sums to mitigate the impact of the development on local services.

Sustainability

- What sustainability standards are proposed?
- Questions raised in respect of construction measures.

Response: an Energy and Sustainability Statement has been submitted with the application.

- One response raised a number of questions which were posed to the applicants. These were answered by the Applicant and no further response was received.

4 The Proposed Development

4.1 The Site Proposals

4.1.1 The planning application comprises the following description of development:

Outline planning application for residential development with means of access for consideration and all other matters reserved for subsequent approval; demolition of all existing structures; associated landscaping, drainage, car parking; infrastructure and all ancillary and enabling works.

4.1.2 The proposed development comprises the following principal elements:

- Up to 30 dwellings, including 50% affordable housing
- A range of house types, sizes and tenures;
- Vehicular and pedestrian access from Cowards Lane; and
- Open Space for public amenity, recreation, attenuation, landscaping, and biodiversity.

4.2 Masterplan, Layout and Design

4.2.1 The Concept Masterplan is an illustrative plan which shows how the proposals shown on the Parameter Plans could be developed. It has been prepared in response to the Site's constraints and opportunities and planning policy requirements. The Design and Access Statement prepared by Insitu Design discusses the masterplan and its evolution in greater detail.

4.2.2 The Concept Masterplan includes the following key design principles for the Site:

- Delivery of up to 30 dwellings offering a range of house types, tenures and sizes to suit local housing need with 50% provision of affordable housing.
- Areas of open space which will provide public amenity, a locally equipped area of play, green infrastructure and a Sustainable Drainage System (SuDS) attenuation basin.
- Primary access and movement corridors across the Site, including retention of an existing PRow, have been developed to link with the vehicular and pedestrian access off Cowards Lane.
- Residential blocks have been developed with dual active frontages overlooking key open space and landscape, providing natural surveillance.
- The proposals include SuDS attenuation features forming part of a new sustainable drainage system for the Site.



- 4.2.3 Design is a reserved matter, however, the proposals have been carefully considered in order to enhance the sense of place through the scheme and provide a distinct form of development appropriate to the Site. The Design and Access Statement and supporting Parameter Plans set out the maximum parameters for land uses; densities; building height; access and movement; and green infrastructure of the proposed development.

4.3 Housing Mix

- 4.3.1 Whilst housing mix will be determined through the submission of subsequent Reserved Matters, the Site has been tested to ensure it can deliver a range of house types, tenures and sizes to provide for a range of housing needs. This will also facilitate the establishment of a mixed and balanced community.

4.4 Affordable Housing Statement

- 4.4.1 It is proposed that 50% affordable housing will be provided as affordable housing on Site in accordance with the Golden Rules as set out in paragraphs 155 – 159 of the NPPF. The tenure mix will be determined through the course of the planning application with Officers based on local need and the layout will be determined through a subsequent Reserved Matters application.
- 4.4.2 The provision of affordable housing will greatly assist in meeting local needs across the District.

4.5 Access

- 4.5.1 This planning application seeks outline planning permission, including the determination of detailed access. The Proposed Site Access General Arrangement shows the location and design of the proposed vehicular and pedestrian access off Cowards Lane.
- 4.5.2 A priority T-Junction is proposed, which would include footway on both sides of the carriageway linking to the existing pedestrian infrastructure to the Site on Cowards Lane. A new footway is proposed on Cowards Lane to link to St Albans Road (and along St Albans Road), which will improve connectivity and provide for safe onwards connection to the nearby recreation ground.
- 4.5.3 The Concept Masterplan, which supports the application demonstrates the proposed point of access will allow for the creation of an appropriate road layout, facilitating the creation of a safe, legible and well-designed development.
- 4.5.4 This application is accompanied by a Design and Access Statement which provides an overview of the access and movement associated with the Site. Further to this, a comprehensive Transport Statement prepared by RGP has also been submitted to support the application and detail the rationale behind providing the access and road network.



4.6 Reserved Matters

4.6.1 Matters of appearance, landscaping, layout and scale are reserved for approval.

4.7 Planning Obligations

4.7.1 The proposal will be supported by a Section 106 Agreement to secure contributions to a variety of matters necessary to allow the development to be supported. The Applicants will liaise with the Council throughout the determination of the application agree the specific Heads of Terms. Further details on the draft Section 106 Heads of Terms are set out within **Section 8** of this Statement.

4.7.2 North Hertfordshire does not currently have a Community Infrastructure Levy (CIL) in place.

4.8 Benefits

4.8.1 The proposed development would deliver the following benefits for both the local area and wider area, including:

- The early delivery of much needed housing on a suitable Site, creating a sustainable residential development adjacent to existing built form in Codicote.
- The proposed development will contribute towards meeting the objectively assessed need for new homes in the Borough;
- The provision of 50% affordable dwellings will see the delivery of much needed affordable housing for the locality;
- A mix of dwelling types will be provided to assist in improving house choice within the local area;
- The promotion of a development in a sustainable location which is well located for public transport connections and active travel opportunities;
- A contribution to the economy through local construction jobs during the construction phase of the development, in addition to the use of local tradespersons and services, along with materials to help to sustain the local economy through supply chain multipliers;
- Additional landscaping and buffer planting throughout the Site; and
- A Biodiversity Net Gain of at least 10%.

4.8.2 The above list is not exhaustive; however, it provides an indication of the principal benefits and opportunities that would result from the proposed development. This is explored in further detail in the Planning Balance and Assessment Section of this Statement, ultimately demonstrating



Land South of Cowards Lane, Codicote

that in addition to the Site constituting grey belt, very special circumstances are also demonstrated in this case.



5 Planning Policy

5.1 Introduction

5.1.1 This Section sets out the planning policy framework relevant to the Site and proposed development.

5.2 The Development Plan

5.2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires Local Planning Authorities to determine planning applications in accordance with the Development Plan unless material considerations indicate otherwise.

5.2.2 The Development Plan for North Herts Council comprises:

- North Hertfordshire Local Plan 2011-2031 (2022);
- Hertfordshire Waste Core Strategy and Development Management Policies Document 2011-2026 (2012);
- Hertfordshire Minerals Local Plan 2002-2016 (2007).

5.2.3 An Examination has been undertaken on the Regulation 15 submission version of the Codicote Neighbourhood Plan 2024-2031. The Examiner report concludes that subject to some suggested policy modifications the Plan meets the Basic Conditions and once modified can proceed to referendum. This Plan does not therefore form part of the Development Plan at this stage but it is possible that it may do by the time the application is determined. There are no site-specific designations for the application site.

5.3 North Hertfordshire Local Plan 2011-2031

5.3.1 North Herts Council adopted the North Hertfordshire Local Plan 2011-2031 on Tuesday 8 November 2022. The Local Plan is the Council's principal planning policy document and sets out the vision, objectives, spatial strategy and planning policies for the District, for the period up to 2031.

5.3.2 The Local Plan policies relevant to the Site are, as follows:

- SP1: Sustainable development in North Hertfordshire
- SP2: Settlement Hierarchy and Spatial Distribution
- SP5: Countryside and Green Belt
- SP6: Sustainable Transport
- SP7: Infrastructure Requirements and Developer Contributions



- SP8: Housing
- SP9: Design and Sustainability
- SP10: Healthy Communities
- SP11: Natural resources and sustainability
- SP12: Green infrastructure, landscape and biodiversity.
- T1: Assessment of Transport Matters
- T2: Parking
- HS2: Affordable Housing
- HS3: Housing Mix
- HS5: Accessible and adaptable housing
- D1: Sustainable Design
- D3: Protecting Living Conditions
- D4: Air quality
- HE1: Designated Heritage Assets
- HE4: Archaeology
- NE1: Strategic Green Infrastructure
- NE2: Landscape
- NE4: Biodiversity and Geological Sites
- NE6: New and Improved Open Space
- NE7: Reducing Flood Risk
- NE8: Sustainable Drainage Systems
- NE9: Water Quality and Environment
- NE10: Water Conservation and Wastewater Infrastructure

5.3.3 A summary of these policies can be found at **Appendix A**.

5.3.4 The key policies within this list, which are relevant to the Site and proposals for residential development are as follows:

Policy SP1 (Sustainable development in North Hertfordshire)

5.3.5 Policy SP1 positive states that planning permission will be granted for new development subject to the provisions of the policy. Thus in the event that there is accordance with Policy SP1, then planning permission should be granted.



Policy SP1: Sustainable development in North Hertfordshire

This Plan supports the principles of sustainable development within North Hertfordshire. We will:

- a) Maintain the role of key settlements within and adjoining the District as the main focus for housing, employment and new development making use of previously developed land where possible;
- b) Ensure the long-term vitality of the District's villages by supporting growth which provides opportunities for existing and new residents and sustains key facilities;
- c) Grant planning permission for proposals that, individually or cumulatively:
 - i. deliver an appropriate mix of homes, jobs and facilities that contribute towards the targets and aspirations in this Plan;
 - ii. create high-quality developments that respect and improve their surroundings and provide opportunities for healthy lifestyle choices;
 - iii. provide the necessary infrastructure required to support an increasing population;
 - iv. protect key elements of North Hertfordshire's environment including biodiversity, important landscapes, heritage assets and green infrastructure (including the water environment); and
 - v. secure any necessary mitigation measures that reduce the impact of development, including on climate change; and
- d) Support neighbourhood plans and other local planning initiatives where they are in general conformity with the strategic policies of this Local Plan.

Policy SP2 (Settlement Hierarchy and Spatial Distribution)

5.3.6 Under Policy SP2, the Plan makes provision for at least 13,000 new homes between 2011-2031. Most new development (approx. 80%) is to be delivered in six key towns in the District and a further 13% of housing, along with supporting infrastructure and facilities will be delivered within the settlement boundaries of five villages. The remaining development will be dispersed across the district.

5.3.7 Codicote is listed as one of the five villages with an assigned level of development of 363 dwellings. In accordance with the Policies Map for Knebworth and Southern Areas, the Site sits outside but adjacent to the settlement boundary of Codicote.

Policy SP5 (Countryside and Green Belt)

5.3.8 Policy SP5 sets the Council's approach to development in the Green Belt and at criterion C states, it will only permit development proposals in the Green Belt where they would not result in inappropriate development or where very special circumstances have been demonstrated. In



accordance with the Policies Map for Knebworth and Southern Areas, the Site is located wholly within the Green Belt.

Policy SP8 (Housing)

5.3.9 Policy SP8 sets out how the Council will support housing growth across the District both during and following the Plan Period to 2031 to provide long-term certainty. It states the Council will identify Strategic Housing Sites to continue delivery beyond the Plan Period by:

- i. identifying Strategic Housing Sites that will continue delivery beyond the end of the Plan period in 2031;
- ii. working with the Government and other relevant agencies to identify new settlement options within North Hertfordshire that can provide additional housing supply in the period after 2026; and
- iii. safeguarding land to the west of the A1(M) at Stevenage, as shown on the Policies Map to meet longer-term development needs in the period beyond 2026 subject to a future review of this Plan; and
- iv. undertaking a review of this plan by the end of 2023.

Policy HS2 (Affordable Housing)

5.3.10 Policy HS2 states planning permission for new homes will be granted provided that affordable housing is provided in accordance with the targets set out in the policy, subject to viability. In accordance with criterion (a)(i) for applications of 25 or more dwellings the target is 40% affordable housing. In addition, Policy HS2 requires affordable housing to be delivered on-site unless robustly justified and homes to be genuinely affordable to local people where rents or prices are linked to open-market values.

5.3.11 The Council's expectation in that the size, type and tenure of any affordable housing meets:

- i. 65% of the affordable housing required by criterion (a)(i) will be social rented and 35% other forms of affordable housing (affordable rent / intermediate);
- ii. the housing needs of the area including needs identified by relevant local authority housing register data, Neighbourhood Plans and any settlement- or parish-level surveys or assessments; and
- iii. the requirements of Policy HS3 and will contribute to an appropriate mix of housing across the site as a whole.

5.3.12 As set out in Section 7, this policy predates the NPPF 2024 and the introduction of the Golden Rules.



Policy HS3 (Housing Mix)

5.3.13 Policy HS3 states planning permission for new homes will be granted provided that an appropriate ranges of house types and sizes are provided taking into account:

- i. the overall targets of this plan;
- ii. the findings of the most up-to-date evidence including the most recent Strategic Housing Market Assessment, the Council's Self Build Register and other relevant evidence of housing need;
- iii. the location and accessibility of the site; and
- iv. recent completions, existing permissions and sites in the five year supply.

5.3.14 The Policy further states permission will be granted if the scheme would provide a density, scale and character of development appropriate to its location and surroundings.

5.4 Hertfordshire Waste Core Strategy and Development Management Policies Document 2011-2026 and Hertfordshire Minerals Local Plan 2002-2016

5.4.1 Hertfordshire County Council is currently reviewing the Minerals and Waste Local Plan documents, through the preparation of a new Minerals and Waste Local Plan (the Plan). When adopted, the Plan will replace both the Minerals Local Plan Review 2002-2016 (adopted March 2007) and the Waste Core Strategy and Development Management Policies Development Plan Document (DPD) 2011-2026 (adopted November 2012). The documents set out the County Council's strategic vision, objectives, overall spatial strategy and development management policies for waste development and minerals planning within the county.

5.4.2 The Site does not fall within a Mineral Safeguarding area.

5.5 Summary of Development Plan

5.5.1 **Sections 6 and 7** of this Planning Statement assess accordance with the Development Plan however the following summarises the overall compliance.

- The proposed development includes the provision of 50% affordable housing on Site which, as above, is in excess of the policy requirement of 40%;
- The proposed development would deliver new homes on the edge of Codicote, which is identified as a key village for providing new housing, along with supporting infrastructure and facilities, helping to meet local housing need;



- The proposed development is a logical extension to Codicote and reflects the scale of existing and committed development in the village;
- The Site does not fall within an Area of Separation or a Green Wedge and proposes the retention of as much of the existing natural boundaries as possible, with no established vegetation removal required to deliver the Site access; and
- A number of supporting documents are provided as part of the application which address technical considerations such as highways, flooding and drainage, biodiversity and landscape.

5.6 Other Material Considerations

5.6.1 The following documents constitute other material considerations for the purposes of assessing this planning application.

5.7 National Planning Policy Framework (NPPF) (2024)

5.7.1 The most recent version of the National Planning Policy Framework (NPPF) was published by the Government in December 2024.

5.7.2 The updates made under the December 2024 NPPF seek to address issues in relation to housing provision, sustainability, economic growth, community wellbeing, and modernise the planning process.

5.7.3 Local Planning Authorities are required to establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need can be met over the Plan period (paragraph 69). Local Planning Authorities will also be required to meet any needs that cannot be met within neighbouring areas, strengthening cross boundary working. Section 5 of the December 2024 NPPF has also now restored the requirement for Local Planning Authorities to demonstrate a Five Year Housing Land Supply (5YHLS). Greater emphasis has also been placed on the need to provide a mix of housing types, sizes and tenures to ensure that provisions are made for different groups in the community. The mix and tenure split of proposed housing will be discussed with Officers to ensure the creation of a mixed and balanced community.

5.7.4 Further to the above housing provision updates, an updated Standard Method for calculating local housing need has been published. In most cases, the Standard Method significantly increases the level of housing which Local Planning Authorities are now required to plan for, especially in areas without an up to date Local Plan.

5.7.5 North Hertfordshire's local housing need calculated using the new Standard Method (June 2025) is 1,043 dpa.



- 5.7.6 NPPF paragraph 49 set out circumstances in which Councils may give weight to relevant policies in emerging plans. The Plan is not expected to reach a stage where weight can be given to until 2027 at the earliest (based on the November 2024 LDS).
- 5.7.7 Paragraph 50 states that in the context of the Framework – and in particular the presumption in favour of sustainable development – arguments that an application is premature are unlikely to justify a refusal of planning permission other than in the limited circumstances where both:
- a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging plan; and
 - b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.
- 5.7.8 Paragraph 50 explains that refusal of planning permission on grounds of prematurity will seldom be justified where a draft plan has yet to be submitted for examination. In this case, given the scale of development, it is not considered that the scheme can be considered to be premature.
- 5.7.9 Paragraph 7 confirms that the purpose of the planning system is to contribute to the achievement of sustainable development. As such, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.
- 5.7.10 In order that sustainable development is pursued in a positive way, paragraph 10 of the NPPF explains that at the heart of the Framework is a **presumption in favour of sustainable development** (paragraph 11). For decision-taking, this means:
- 11 c) approving development proposals that accord with an up-to-date development plan without delay; or
 - 11 d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (Footnote 8), granting planning permission unless:
 - the application of policies in this Framework that protect areas or assets of particular importance (Footnote 7) provides a strong reason for refusing the development proposed; or
 - 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 (Footnote 9).

- 5.7.11 NPPF Footnote 7 states: The policies referred to are those in the Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 189) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, a National Landscape, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 75); and areas at risk of flooding or coastal change.
- 5.7.12 NPPF Footnote 8 states: This includes, for applications involving the provision of housing, situations where: the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer as set out in paragraph 78); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years. See also paragraph 227.
- 5.7.13 Paragraph 32 informs that the preparation and review of all policies should be underpinned by relevant and up-to-date evidence. This should be adequate and proportionate, focused tightly on supporting and justifying the policies concerned, and take into account relevant market signals. Paragraph 34 sets out that policies in Local Plans should be reviewed to assess whether they need updating at least once every five years and should then be updated as necessary. Reviews should be completed no later than five years from the adoption date of a plan.
- 5.7.14 Paragraph 39 states that LPAs should approach decisions in a positive and creative way. Paragraph 40 informs that early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties and Paragraph 41 encourages engagement with the local community.
- 5.7.15 Section 13 of the NPPF sets out the Government's policy in relation to the Green Belt and introduces the concept of grey belt and the 'Golden Rules'. Paragraph 142 advises that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Paragraph 143 goes on to list the five purposes Green Belt serves. Paragraph 146 of the NPPF goes on to advise that exceptional circumstances do exist where an authority cannot meet its identified need for homes.
- 5.7.16 Given the relevance of this to the application and to avoid repetition, the Planning Balance and Assessment Section of this Planning Statement will review compliance with the Development Plan and this aspect of the NPPF in further detail.



5.8 Written Ministerial Statement and Housing Supply

- 5.8.1 The Labour Government came into power in July 2024 with key messaging centred around tackling the housing crisis and building 1.5 million more homes along with critical infrastructure, with an overhaul of the planning system. The Government are committing to radically boosting the supply of homes and places that are high quality and genuinely affordable.
- 5.8.2 The Minister of State for Housing and Planning released a Written Ministerial Statement (WMS) on 12th December 2024 which was published in response to the national housing crisis and updates to national planning policy.
- 5.8.3 The Statement emphasises that the new Government has inherited an ‘acute and entrenched housing crisis’, hence the need to plan to deliver 1.5 million new homes and supporting vital infrastructure. The WMS makes reference to the National Planning Policy Framework (NPPF) consultation and the Government’s intention to introduce a Planning and Infrastructure Bill in 2025 to speed up and streamline the planning process, including the delivery of more homes of all tenures and accelerating the delivery of major infrastructure projects.
- 5.8.4 The WMS informs that the Plan led approach is and must remain the cornerstone of the planning system. To further support the Plan led approach, mandatory housing targets have therefore been restored and Local Planning Authorities must now use the Standard Method as the basis to determine housing requirements in their Local Plans. The updated Standard Method now incorporates a stronger affordability adjustment, increasing housing numbers in places facing the most acute affordability pressures whilst maintaining ambitious targets. Further to this, the WMS also confirms that development on brownfield land is essential to ensure that previously developed land is used efficiently, whilst a more strategic approach will be taken to Green Belt release through reformed policy and the introduction of Grey Belt and the Golden Rules. The revised policy reforms will seek to increase housing delivery, including affordable homes, securing greater public benefits and speeding up the planning process.
- 5.8.5 The WMS also sets out the Government’s commitments to supporting local planning and engaging local communities in the process. To support the transitional arrangements and the pragmatic approach taken to new housing numbers in Local Plans, the following three stages are proposed by the Government:
1. Local Planning Authorities will have an extra two months to progress their Plans under the existing framework. Those that reach examination will be assessed in line with existing housing targets but will be required to begin work on a new Local Plan as soon as possible. Similarly, those that reach the final stage of Plan preparation will be allowed to progress only where there is no significant shortfall.

2. In response to the need to measure significant shortfall proportionately rather than absolutely, the 200 home threshold will be replaced with a requirement for at least 80% of the new Standard Method.
 3. Authorities with Plans adopted under the previous Standard Method must provide an extra year's worth of housing in their five year housing pipeline. This requirement will commence from 1st July 2026 and will bring more land into the system.
- 5.8.6 To ensure that the scale of delivering 1.5 million homes is met, the WMS confirms that further weight will be afforded to the presumption in favour of sustainable development. The proposed changes set out in the NPPF around the provision of affordable housing, design quality and the sustainability of locations now ensure that the presumption carries real weight, acting as a significant adjustment to the decision-making balance in favour of approving development.
- 5.8.7 Another key aspect of the WMS is not only to deliver more homes but also to improve affordability and offer affordable housing options for both ownership and rent. Local Planning Authorities are encouraged to adopt a flexible and positive approach to affordable tenure and mix.
- 5.8.8 As per case law (Cala Homes (South) Ltd, R v Secretary of State for Communities and Local Government & Anor [2011] EWCA Civ 639 (27 May 2011)), this WMS is a material consideration in planning application decisions. It provides a clear vision and direction for a supportive and proactive approach to future housing delivery, enhancing affordability, and highlighting the crucial role of sustainable development, which is entirely relevant for this application.

5.9 Affordable and Social Homes – Press Release

- 5.9.1 The Government released a press release announcement on 12th February 2025 informing that £350 million would be invested to increase the number of affordable and social homes. Further support is also proposed by the Government towards homeownership and reducing Council pressures.
- 5.9.2 The press release confirms that up to 2,800 extra homes will be built through a boost to the Affordable Homes Programme, with half of these homes being allocated for social rent. The additional 2,800 homes will help contribute towards the delivery of 1.5 million homes proposed during the Government's parliamentary period, whilst boosting living standards for all.



5.10 North Hertfordshire Local Plan Review

5.10.1 In January 2024, a full review and update of the North Herts Local Plan began. The proposed Plan Period is 2025 to 2045.

5.10.2 The Local Plan Update is in the very early stages. The most recent Local Development Scheme, approved in January 2025, sets out the indicative timeframe with Regulation 18 Public Consultation anticipated in October-November 2025, and adoption not expected until December 2027.

5.11 Codicote Neighbourhood Plan

5.11.1 An Examination has been undertaken on the Regulation 15 submission version of the Codicote Neighbourhood Plan. The Neighbourhood Plan covers the period 2024-2031.

5.11.2 The Examiner report (14 May 2025) concludes that subject to some suggested policy modifications the Plan meets the Basic Conditions and once modified can proceed to referendum.

5.11.3 Emerging Neighbourhood Plan policies relevant to the Site are, as follows:

- COD 1: Designing with Design Codes
- COD 2: Designing for Net Zero
- COD 3: Designing for Flood Resilience
- COD 4: Planning for Biodiversity
- COD 12: Traffic Congestion and Road Safety
- COD 13: Public Transport
- COD 14: Safe and Accessible Active Travel Routes
- COD 15: Sustainable Water Supply
- COD 16: Landscape Character and Important Views
- COD 17: Biodiversity and Ecological Connectivity
- COD 19: Climate Change Resilience

5.11.4 A summary of the key emerging Neighbourhood Plan policies is held at **Appendix A**.

5.11.5 In light of the 2024 December NPPF and the new standard method for calculating local housing need, North Herts Council published indicative housing figures for neighbourhood planning areas, following a simple process in the absence of the Local Plan update. The updated housing figure was applied according to the population of the parishes in the District, taken from the



2021 census. The figures are indicative only and to be further refined through the Local Plan update, nevertheless, assign Codicote an indicative housing number of 560 (over 20 years).

- 5.11.6 However the plan contains no allocations to meet housing requirements and thus provisions contained within paragraph 14 of the NPPF are not relevant to this application.

5.12 Housing Land Supply

- 5.12.1 The latest published housing land supply position (May 2024) is said to be 3.9 years and this is confirmed in the most recent appeal decision in May 2025 in an appeal at High Street, Barkway¹. It should be noted that it appears that housing land supply was an agreed and not debated matter and it is noted that, for example, 469 homes included within the supply calculation, are subject to outline planning permission and would not normally meet the definition of deliverable for inclusion in 5 year housing land calculations. It is expected that a 2025 version should be published imminently.

5.13 Supplementary Planning Documents

- 5.13.1 The relevant Supplementary Planning Documents (SPDs) are summarised within **Appendix A**.

¹ APP/X1925/W/24/3351486



6 Green Belt, Grey Belt and Very Special Circumstances

6.1 Green Belt Policy

6.1.1 Policy SP5 is set out below:

Policy SP5: Countryside and Green Belt
We support the principles of the Green Belt and recognise the intrinsic value of the countryside. Green Belt and Rural Areas Beyond the Green Belt are shown on the Policies Map. We: a) Have conducted a comprehensive review of the Green Belt. Land has been removed from the Green Belt to: i. enable strategic development at the locations referred to in Policies SP8 and SP3; ii. enable local development around a number of the District's towns and villages; and iii. define boundaries for villages referred to in Policy SP2 which fall within the Green Belt but were previously 'washed over' by this designation; b) Have provided new Green Belt to cover, in general terms, the area bounded by the Metropolitan Green Belt to the east, the Luton Green Belt to the west and the A505 Offley bypass to the north; c) Will only permit development proposals in the Green Belt where they would not result in inappropriate development or where very special circumstances have been demonstrated; and d) Will operate a general policy of restraint in Rural Areas beyond the Green Belt through the application of our detailed policies.

6.1.2 Section 13 of the NPPF sets out the Government's policy in relation to the Green Belt. Paragraph 142 advises that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Paragraph 143 goes on to list the five purposes Green Belt serves as follows:

- a) To check unrestricted sprawl of large built up areas;
- b) To prevent neighbouring towns merging into one another;
- c) To assist in safeguarding the countryside from encroachment;
- d) To preserve the setting and special character of historic towns; and



- e) To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

6.1.3 Paragraph 145 informs that once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified through the preparation or updating of Plans. Paragraph 146 goes on to advise that exceptional circumstances in this context include, but are not limited to, instances where an authority cannot meet its identified need for homes.

6.2 Grey Belt Policy

6.2.1 Paragraph 155 of the NPPF informs that the development of homes in the Green Belt should also not be regarded as inappropriate where:

- a) The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the Plan.

6.2.2 Annex 2 of the NPPF defines grey belt as “*land in the Green Belt comprising previously developed land and / or other land that, in either case, does not strongly contribute to any of purposes a, b or d in paragraph 143*” (our emphasis added).

6.2.3 Purpose a) relates to the unrestricted sprawl of large built up areas. It is worth noting that the new PPG (paragraph 005 Reference ID: 64-005-20250225) notes that “*villages should not be considered as large built up areas*”. Codicote is very clearly defined as a village in the adopted Local Plan and as such, purpose a) is not applicable to the application scheme.

6.2.4 In terms of the Site’s contribution towards Green Belt purpose b), it is worth noting that this purpose relates to preventing neighbouring towns merging into one another. As clarified within the updated PPG, Green Belt purpose b) specifically relates to preventing the merging of towns. In the context of the updated PPG that makes clear that areas which do not form a gap between towns will either contribute weakly or not at all to purpose b), it is therefore considered that the Site makes no contribution to purpose b).

6.2.5 Purpose d) relates to preserving the setting and special character of historic towns. The Site does not contribute towards this purpose.

6.2.6 In light of the above, it is considered that the Site for the most part makes no contribution to towards Green Belt purposes a), b) and d). Therefore, the Site would not undermine the wider Green Belt and would utilise grey belt land, in accordance with paragraph 155.

6.2.7 This is also clearly set out in the submitted Landscape and Green Belt report accompanying the application.



b) there is a demonstrable unmet need for the type of development proposed

6.2.8 Paragraph 78 of the NPPF informs that Local Planning Authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old.

6.2.9 As set out above, the Council acknowledge that there is a shortfall in housing land supply and as such there is demonstrable need for new homes in the area.

a) The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework; and

6.2.10 The development of the Site presents an opportunity to deliver a high quality sustainable development in Codicote. The Site is situated in an accessible location and will provide residents with opportunities to access local services and facilities by sustainable transport methods, including public transport.

b) Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156 – 157 below.

6.2.11 Paragraph 156 lists the 'Golden Rules' in the context of housing provision on Green Belt land that is subject to a planning application. Should the contributions (Golden Rules) be met, significant weight should be afforded to their compliance:

a. affordable housing which reflects either Development Plan policies produced in accordance with paragraphs 67 – 68 of the Framework or 50% as set out in paragraph 157;

b. necessary improvements to local or national infrastructure; and

c. The provision of new, or improvements to existing green spaces that are accessible to the public. New residents should be able to access good quality green spaces within a short walk of their homes, whether through onsite provision or through access to offsite spaces.

6.2.12 In accordance with the above, the proposals will provide 50% affordable housing onsite. The development of the Site will also provide the necessary improvements to local or national infrastructure via relevant financial contributions. In terms of open space, the proposals provide open space in total that will be accessible to both new and existing residents in accordance with adopted Local Pla policy. The application will also deliver an enhanced footway leading to the recreation ground on the northern side of Cowards Lane.



6.2.13 Paragraph 158 states “***a development which complies with the Golden Rules should be given significant weight in favour of the grant of permission***” (our emphasis added).

6.2.14 Therefore, it is considered that the Site consists of grey belt land as set out in Annex 2 of the NPPF and accords with the Golden Rules in the context of housing provision on Green Belt land. On this basis, it is considered that the development of the Site should be supported by the Council, in accordance with national policy.

6.3 Very Special Circumstances

6.3.1 It should be noted that it is the Applicant’s view that as the site is grey belt; it is not necessary to demonstrate very special circumstances, however for completeness, this case is also set out below in the event that a different view is reached in respect of grey belt.

6.3.2 The Site is located within the Green Belt which comprises virtually all of the unbuilt areas of North Hertfordshire. In accordance with paragraph 153 of the NPPF, Local Planning Authorities should ensure that substantial weight is given to any harm to the Green Belt unless very special circumstances (vsc) exist where the potential harm to the Green Belt is clearly outweighed by other considerations.

6.3.3 In line with this, Policy SP5 (Countryside and Green Belt) sets out that the Council will not permit inappropriate development in the Green Belt, except in very special circumstances. As a result and taking into consideration the background, as set out above, the main issues to consider are:

- The effect of the proposal on safeguarding the countryside from encroachment;
- The effect of the proposal on the openness of the Green Belt; and
- Whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to very special circumstances.

6.3.4 The Site has been assessed against the purposes of the Green Belt. The Site’s impact on the Green Belt purposes is in the Green Belt assessment provided by EDP, which concludes that the application site meets the definition of grey belt.

6.3.5 Taking into account the magnitude of the Borough’s housing shortfall being considered as acute and severe; it is considered that the substantial need for housing in North Hertfordshire in the absence of an up to date Development Plan and the benefits the proposals would clearly outweigh the harms that would arise from the development of this Green Belt Site.



Land South of Cowards Lane, Codicote

- 6.3.6 As such, it is considered that there are very special circumstances which pull in favour of the grant of planning permission and further detail can be found on the benefits of the scheme at Section 9 of this Statement.



7 Planning Assessment

7.1 Planning Assessment

- 7.1.1 This section outlines our assessment of the proposed development against the planning policy context and issues identified in **Section 5** of this Statement. Reference is made to the findings of the technical reports submitted to accompany the Planning Application in order to avoid unnecessary repetition.

7.2 Decision-Making Approach

- 7.2.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act (2004), the Development Plan is the starting point for the determination of planning applications. Determination is required to be in accordance with the Plan unless material considerations indicate otherwise.
- 7.2.2 For this application the Development Plan comprises the North Hertfordshire Local Plan (2022); Hertfordshire Waste Core Strategy and Development Management Policies Document (2012) and the Hertfordshire Minerals Local Plan (2007).
- 7.2.3 This Section of the Statement will assess the proposals against the relevant policies **and** will demonstrate that there are no clear reasons for refusing the proposals and that the benefits of the development outweigh any adverse impacts, and the application should therefore be approved without delay.

7.3 Principle of Development

- 7.3.1 The Site borders residential development and is well contained by existing vegetation. The Site is located within the Green Belt but is not subject to any further formal allocations, as per the adopted Development Plan.
- 7.3.2 As set out within the May 2024 housing land supply report, the Council has a housing land supply of 3.9 years at best. Given the Borough is mostly comprised of Green Belt land; that the Council are unable to demonstrate a five year housing land supply and that the new Local Plan is some 2.5 years away, it is evident that land situated within the Green Belt, or in this Site's case grey belt, will have to be released if the Council is to meet it's identified needs. Not only is this in accordance with Policy SP5 of the Local Plan, paragraph 124 of the NPPF advises that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses.
- 7.3.3 As set out within this Planning Statement and the submitted Design and Access Statement, the Site is accessible by a range of transport modes and seeks to improve sustainable connections within the Site and into the surrounding area. There are no over-riding technical or



environmental issues to prevent the development of the Site, given it is considered to be sustainable in planning terms and acceptable for housing.

- 7.3.4 The development proposals have been met through an extensive and careful iterative masterplanning process and through the creation of a comprehensive masterplan in line with strategic policies in the adopted Local Plan which affirm the need to use land efficiently, whilst also needing to achieve high quality design that respects local character and circumstances. As explained within the accompanying DAS, relevant opportunities and constraints have informed the development options and the masterplan proposals.
- 7.3.5 Taking the above into consideration and considering the sustainable location of the Site, its status as grey belt, its location in Codicote, and it being adjacent to built form, it is considered that the principle of the suitability of the site development has been established.

7.4 The Need for Market Housing

- 7.4.1 Paragraph 61 of the NPPF recognises the importance of a sufficient amount and variety of land coming forward where it is needed in order to support the Government's objective of significantly boosting the supply of homes. The Council are unable to demonstrate a Five Year Housing Land Supply and therefore Footnote 7 of the NPPF demonstrates that Paragraph 11(d) applies in this circumstance. In this regard, the proposed development of Land at Cowards Lane would deliver additional homes for the District, helping to meet current and future needs. Given the track record and experience of the Applicant, the Site would be immediately available to come forward for development and there are no known planning constraints onsite.
- 7.4.2 The December 2024 NPPF introduce a new standard method for calculating local housing need. Based on the new standard method, North Herts's local housing need has risen to 1,043 dwellings per annum, as prescribed by NPPF paragraph 78.
- 7.4.3 Taking the above into account, substantial weight should be provided to the provision of new housing. The Site is located within a sustainable area and would make an important and positive contribution to boosting the supply of housing within the District, in accordance with national policy.

7.5 The Need for Affordable Housing

- 7.5.1 The proposed development includes affordable housing provision of 50% to assist in meeting affordable housing need within the District, which complies with the adopted Local Plan requirement set out by Policy HS2 (Affordable Housing).
- 7.5.2 The provision of 50% affordable housing from this Site will support the Council in delivering good quality affordable housing – helping the Council to meet its requirements and not fall further behind in providing such housing.



- 7.5.3 Taking the above into account and given that the application for a site within an administrative area, which has an acute housing delivery shortage and affordable housing need, substantial weight should be afforded to the contribution of affordable homes in this location,.

7.6 High Quality Design

- 7.6.1 The NPPF requires that developments are of good design, which is reflected in adopted Local Plan Policy D1 (Sustainable Design). As set out within the Design and Access Statement, which forms part of this application, the proposals will provide a high quality sustainable development of up to 30 dwellings, which reflects local design policies and government guidance on design.

- 7.6.2 Other benefits to note include:

- Public Open Space;
- Locally Equipped Area for Play (LEAP);
- Retention and improvement to the PRow across the Site;
- Habitat creation and enhancements, including 10% BNG;
- Active travel and sustainable transport;
- A new footway to join Cowards Lane to St Albans Road, providing a new safer pedestrian connection to the recreation ground;
- Green Infrastructure, SuDS features, retained hedgerows and trees, additional planting; and
- Efficient high-quality homes.

- 7.6.3 The factors listed above, when considered either individually or collectively, and in combination with other benefits of the development, demonstrate that the Site can be developed in a sustainable manner and achieve a high-quality design.

- 7.6.4 The Application is submitted in Outline at this stage and detailed matters will be considered as part of future Reserved Matters application. However, at this stage, it is evident that the proposal represents a high quality and sustainable scheme.

- 7.6.5 In light of the above, the proposed development is considered to be in accordance with Policy D1 (Sustainable Design) of the North Hertfordshire Local Plan, Section 12 of the NPPF and North Herts Design SPD (July 2011).

7.7 Residential Amenity

- 7.7.1 The North Herts Design SPD (2011) provides applicants with additional information and guidance relating to the Council's design aspirations for new developments, including boundaries, separation distances and parking.



- 7.7.2 Whilst layout is a reserved matter, the Concept Masterplan has been sensitively considered and designed, taking into account the context of the Site and its surroundings and will therefore ensure that the amenity and privacy of neighbouring properties is protected.
- 7.7.3 With respect to the amenity of future residents, the application is accompanied by a Noise Impact Assessment (April 2025), which concludes that the Site is suitable for residential use and that there are no acoustic constraints.
- 7.7.4 Future Reserved Matters applications will address the other detailed matters of amenity, such as privacy, outlook, daylight and sunlight.
- 7.7.5 The proposed development is therefore considered to accord with the adopted DPD and Section 12 (Achieving Well Designed and Beautiful Places) of the NPPF.

7.8 Arboriculture

- 7.8.1 The application is accompanied by a number of arboricultural documents which demonstrate that the application scheme can be delivered without significant harm to arboricultural features.

7.9 Ecology and BNG

- 7.9.1 The proposed development will result in the loss of part of a local wildlife site, the Meadow North West of First Spring LWS. It has been shown that the habitats within the site which form part of the LWS do not meet the criteria for designation. Nevertheless the site remains designated and should be treated as such. The impacts of loss of extent of the LWS this are mitigated by the retention and management of other neutral and wet grassland habitats within open spaces on the site. The partial loss of the local wildlife site can be considered in line with Policy NE6 of the local plan where it can be demonstrated that the loss has been minimised as far as possible, where mitigation measures, such as the favourable management of retained areas of other neutral and wet grassland are secured.
- 7.9.2 Habitat creation and enhancement measures are proposed, and a separate Biodiversity Net Gain Assessment report has been prepared to identify whether the proposed development delivers a net gain for biodiversity, or whether additional off-site habitat creation/enhancement is required. The application will achieve a 10% net gain in bio-diversity.
- 7.9.3 Additional ecological enhancement measures include:
- Assuming the successful implementation of the measures, including the mitigation measures for the loss in extent of the local wildlife site, the proposed development can be considered in line with North Hertfordshire Local Plan 2011-2031, as the scheme includes measures to retain and protect important ecological features and ensure their favourable management in the long-term. The proposals also include detailed measures to avoid potential impacts on



protected species during the construction and operational phases of the development, as well as providing enhancements to both habitats and species on Site.

- Provision of a range of bat and bird boxes, and log piles;
- Provision of hedgehog access gaps in fences; and
- Enhancement and in-fill planting of the boundary hedgerows.

7.10 Energy and Sustainability

7.10.1 An Energy and Sustainability Statement (May 2025) has been prepared by Daedalus Environmental in support of this planning application submission. The Statement sets out how environmental sustainability is being addressed for the proposed development on the Site.

7.10.2 The Energy and Sustainability Statement demonstrates compliance with relevant policies from the North Hertfordshire Local Plan 2011-2031 (November 2022) and current Building Regulations, whilst also looking ahead to the draft Codicote Neighbourhood Plan and the emerging Future Homes Standard.

7.10.3 Key features of the proposed development:

- The dwellings will be highly energy efficient, adopting a fabric first approach. They will be orientated to maximise solar gain where possible;
- There will be no natural gas connection to the site;
- Heating and hot water will be supplied via low carbon air source heat pumps;
- Solar photovoltaic panels will be installed where appropriate;
- The development will employ a combination of highly efficient fixtures, fittings and appliances to reduce domestic water use to achieve the 110 l/p/d target;
- Buildings will be designed and specified to adapt to a changed climate:
 - Overheating will be managed through considered design;
 - The retention of existing trees and additional planting will provide more comfortable microclimates in warmer weather;
 - The landscape design will provide multi-functional benefits, supporting increased biodiversity and enhancing the overall aesthetic;
 - Surface water will be managed via the integration of SuDS into the development.
- Electric vehicle charging points will be installed in line with policy requirements;
- High quality broadband will be provided in line with Approved Documents;
- The embodied carbon of the development will be considered and addressed through sustainable material choices and flexible and durable design;
- Demolition, construction and operational waste will be managed in accordance with the principles of the Waste Hierarchy.



- 7.10.4 Throughout the planning and development process, and as the wider regulatory environment develops, the approach to Energy and Sustainability will be kept under review. The final design solution and associated detail will be provided at the Reserved Matters stage.

7.11 Flood Risk and Drainage

Flood Risk

- 7.11.1 The Flood Map for Planning indicates that the Site area is located within Flood Zone 1, and therefore at low risk of flooding from fluvial and tidal sources.

Foul Water Strategy

- 7.11.2 The proposed foul water discharge generated by the site is proposed to connect to the existing Thames Water infrastructure north the site, MH6901 within Cowards Lane.
- 7.11.3 A foul water pumping station and rising main will be required for the development at this Site. A predevelopment enquiry with Thames Water has been submitted and is currently awaiting a reply at the time of writing.

Surface Water Drainage Strategy

- 7.11.4 The proposed SuDS solution for the development includes permeable paving with lined gravel subbase, open basins, and deep borehole soakaways.

7.12 Heritage and Archaeology

- 7.12.1 A Heritage Statement (June 2025) prepared by FWA Heritage & Design considers the potential effects of the proposed development on the historic environment. The report assesses the extent and importance of the setting of any heritage assets in the locality and the contribution to their significance, to consider any potential impacts of the proposed development on the significance of the heritage assets.
- 7.12.2 The Heritage Statement identifies that the majority of listed buildings in proximity to the Site are located on High Street and St Albans Road. The report concludes that the proposed development will not result in harm to the significance of any of the listed buildings identified in the local area surrounding the Site, as there will no impact on the experience of the listed buildings, or on the ability to understand or appreciate their significance.
- 7.12.3 The report identifies the Site is approximately 230m to the south of Codicote conservation area and concludes that given the distance and intervening landscaping and existing buildings on St Albans Road, Tithe Close and Cowards Lane, the Site would be concealed and makes no



contribution to the character of the conservation area through its presence. On this basis, there will be no impact caused to the character and appearance of the conservation area.

- 7.12.4 The proposed development is in accordance with Local Plan Policy HE1 (Designated Heritage Assets) and Section 16 (Conserving and Enhancing the Historic Environment) of the NPPF.

7.13 Landscape and Visual Impact

- 7.13.1 The visual and sensory character of the site would change notably because of implementation of the proposals. This magnitude of change is not an indication of bad design but is to be expected as the result of the change of use of any partially developed largely green site to residential development. However, the scale of change would be reduced by the fact that the site is already degraded to some degree, due to the settlement edge character of horse paddocks and the influence of the surrounding residential built form, as well as the fact that the physical elements of the landscape around the site perimeter will remain largely intact and will be enhanced.

- 7.13.2 The following effects are likely:

- 7.13.3 • The effects on the character of the site itself and to a lesser degree the host LCA (205: Codicote Plateau); and

- 7.13.4 • Effects on visual amenity, including views from the PRoW route running through the site and nearby residential receptors.

- 7.13.5 The following long-term effects are likely:

- 7.13.6 • Moderate adverse level of effect on the character of the site itself;

- 7.13.7 • Minor effects to the host LCA 205: Codicote Plateau, diminishing quickly with distance from the site due to intervening built form, vegetation and topography;

- 7.13.8 • Substantial adverse level of effect on Codicote Footpath 023 as it runs through the site. This reduces as users move outside of the site boundary to moderate at the southern extent of the PRoW;

- 7.13.9 • Users of Cowards Lane and the National Cycle Route will have moderate/minor adverse level of effect in the long-term. This is restricted to the part of the route abutting the site's northern boundary, there are not anticipated to be any effects on the routes beyond this area due to the screening of built form and dense vegetation;

- 7.13.10 • The effects experienced by residential receptors are likely to be greatest at Merlin, Field House and a small group of properties along St Albans Road to the west. At Year 15 landscape enhancements will reduce the overall level of effect to major/moderate.



- 7.13.11 The findings confirm that the proposals respect and enhance the landscape character of the surrounding area and site, and public visual amenity through a landscape lead design. The findings confirm that the site represents a logical and easily assimilated development.
- 7.13.12 For the reasons outlined within the report, the proposed residential development represents a small-scale and visually discrete feature and would not result in any material landscape or policy contraventions, and the site is not subject to any landscape designations seeking to protect specific landscape value.
- 7.13.13 The proposed development would create only very limited and localised landscape and visual effects. By including additional mitigation around the site's boundaries, it can be further integrated into its surroundings. Overall, the proposed development in the round, would not constitute an unacceptable impact in landscape and visual terms.
- 7.13.14 Accordingly, the LVGBA concludes that there is no landscape or visual reason why the site should not be developed and would therefore not result in material harm to the character of the surrounding area.

7.14 Noise

- 7.14.1 A Noise Assessment (May 2025) has been prepared by Hawkins Environmental to determine whether noise offers any significant constraints to development the Site for residential purposes.
- 7.14.2 The Noise Assessment identified the primary noise source at the Site as road traffic from Cowards Lane. The assessment found day-time sound levels were approximately 47dB LAeq.16h and night-time levels were approximately 45dB LAeq.8h, both of which are below the Lowest Observed Adverse Effect Level (LOAEL).
- 7.14.3 The report concludes the site is considered a "low risk" site under the Pro-PG, with noise levels below the Lowest Observed Adverse Effect Level (LOAEL); therefore, if the site is to come forward for residential development, noise must be considered, and it must be mitigated and reduced to a minimum.
- 7.14.4 Furthermore, the report concludes using the guidance and calculation methods contained within BS 8233: 2014 '*Guidance on sound insulation and noise reduction for buildings*', it has been shown that the recommended maximum internal noise levels for each room use under BS 8233 can be achieved through the provision of suitable glazing and ventilation.
- 7.14.5 It is considered that the noise environment of the Site is not a constraint for the proposed development, and it can be delivered in accordance with the guidance contained within BS 8233: 2014 and Paragraph 185 of the NPPF.



7.15 Air Quality

- 7.15.1 An Air Quality Impact Assessment (June 2025) has been prepared by Entran Limited to assess potential impacts associated with the proposed development during both construction and operational use.
- 7.15.2 The report states North Hertfordshire Council (NHC) has declared two Air Quality Management Areas (AQMAs) due to elevated concentrations of NO₂. The Site is not located within or near either of these AQMAs, both of which are located in Hitchin.
- 7.15.3 Furthermore, the assessment of the potential impacts during the construction phase has shown for the Proposed Development, limited releases of dust and particulate matter are likely to be generated from on-site activities. Therefore, through good site practice and the implementation of suitable mitigation measures, the impact of dust and particulate matter releases may be effectively mitigated and the resultant impacts considered to be negligible.
- 7.15.4 A review of baseline air quality monitoring data indicates that NO₂, PM₁₀ and PM_{2.5} concentrations in the vicinity of the Site are likely to be below the relevant air quality objectives and therefore, the introduction of receptors to the area will not increase exposure to poor air quality.
- 7.15.5 It is considered that the Air Quality is not a constraint for the proposed development, and it can be delivered in accordance with Local Plan Policy D4 (Air Quality) and Paragraph 199 of the NPPF.

7.16 Transport and Access

- 7.16.1 A Transport Statement (TS) has been prepared by RGP in support of this application.
- 7.16.2 The Transport Statement outlines the transport and highways characteristics of the proposed development and demonstrates how the development accords with relevant local and national planning policy.
- 7.16.3 Access to the Site is proposed via a priority T-junction arrangement off of Cowards Lane. The arrangement will comprise of 5.5m wide carriageway with visibility of 2.4m x 4.3m in both directions from the proposed access on Cowards Lane. The proposals include provision of a 2.0m wide footway on one side of the road into the Site.
- 7.16.4 The Transport Statement draws the following conclusions.
- 7.16.5 The site is accessible via alternative modes of travel, including public transport services.
- 7.16.6 The local infrastructure facilities journeys on foot, including Codicote High Street where several amenities and services are located. Local pedestrian facilities would be enhanced to further



- support active travel modes, including the existing public right of way which runs through the site.
- 7.16.7 The proposed development would not generate a significant level of traffic. This would all be accommodated within the local highway network without causing capacity issues.
- 7.16.8 Safe and suitable site access arrangements would be provided, accommodating all necessary vehicle types and continuing to appropriately serve the two adjacent dwellings.
- 7.16.9 Car and cycle parking would be provided with consideration to the standards contained at North Hertfordshire District Council ‘Vehicle Parking at New Development Supplementary Planning Document’ (2011).
- 7.16.10 Internal streets would be designed to accommodate the North Hertfordshire District Council waste collection vehicle. Sufficient space would be given to the storage of waste containers within the curtilage of the dwellings.

7.17 Planning Balance

- 7.17.1 Notwithstanding that we conclude that the application is in accordance with the up to date policies in the Development Plan, the housing policies are out of date and therefore the presumption in favour of sustainable development is also engaged through Paragraph 11(d) of the NPPF.
- 7.17.2 The policies referred to in Footnote 7 do not provide strong reason for refusing the proposed development. The tilted balance therefore remains to be considered for the application.
- 7.17.3 The following weighting criteria is used in the application of the planning balance, as set out in Table 7.1:

Weightings
Very Substantial
Substantial
Significant
Moderate
Limited



Neutral

Table 7-1 - Weights used in application of the planning balance

7.17.4 Table 7.2 below weighs the benefits of the proposals against the harms using conclusions of the respective planning application documents.

Harms	Benefits
Development on a greenfield site (Limited Weight)	Provision of up to 30 homes (Very Substantial Weight)
Localised landscape harm (Limited weight)	Provision of 50% affordable homes (up to 15 dwellings) (Very Substantial Weight)
Development on LWS (Limited weight)	Delivery of temporary local employment provision (construction jobs) (Significant Weight)
	Compliance with Golden Rules (Significant Weight)
	Provision of Public Open Space and Play area (Moderate Weight)
	BNG (Moderate Weight)
	New footway and crossings and sustainable transport (Moderate Weight)

Table 7-2 - Benefits and Impacts of the Proposals

7.17.5 It can be concluded that the benefits clearly outweigh the adverse harms of allowing development of this grey belt site. significantly boosting the provision of homes in North Hertfordshire, this will secure economic, social and environmental gains and so achieving sustainable development. It is therefore our conclusion that should the Council consider that the Site does not constitute grey belt, very special circumstances exist that outweigh the harm to the Green Belt and as such, this warrants a grant out outline planning permission.



7.18 Flat Balance

- 7.18.1 Section 38(6) of the Planning and Compulsory Purchase Act (2004) sets out that the Development Plan is the starting point for the determination of planning applications. Determination is required to be in accordance with the Plan unless material considerations indicate otherwise.
- 7.18.2 It is considered that the proposals comply with the Development Plan when taken as a whole. However, should the decision maker take a contrary view, it is clear that the benefits demonstrably outweigh the harms, as shown in **Table 7.2** above. As per Section 38(6) of the PCPA, it is concluded that there are 'other material considerations', these being the benefits highlighted above, which justify the granting of planning permission under the flat balancing exercise.

7.19 Tilted Balance

- 7.19.1 If the Decision Maker were to find that the Application conflicts with the Development Plan when taken as a whole, they would need to consider the proposals against the application of Paragraph 11(d) of the NPPF.
- 7.19.2 Applying the tilted balance, it is considered that there are no adverse actual impacts of the development, and the benefits are extensive. The benefits of the proposals significantly and demonstrably outweigh the limited impacts. Planning permission should therefore be granted.



8 Draft Terms of Agreement for a Section 106 Agreement

8.1 Draft Terms of Agreement

- 8.1.1 The Council's Planning Obligations SPD (June 2022) informs the provision for on and off site facilities, services and improvements, for which a need is known to arise from new residential development, in addition to obligations towards Affordable Housing outlined in Policy H2, will be secured through the use of individually negotiated planning obligations to be secured through a planning obligation under Section 106 of the Town and Country Planning Act.
- 8.1.2 Paragraph 58 of the NPPF (as set out in Regulation 122(2) of the Community Infrastructure Levy Regulations 2010) states that planning obligations must only be sought where they meet all of the following tests: a) necessary to make the development acceptable in planning terms; b) directly related to the development; and c) fairly and reasonably related in scale and kind to the development.
- 8.1.3 It is anticipated that the following potential planning obligations will be required, further discussions are to take place with Officers during the determination of the application:
- 50% affordable dwellings are proposed to be provided as part of the development
 - A detailed scheme to deliver the Biodiversity Net Gain
 - Education contribution
- 8.1.4 Further to this, any requests for S106 contributions will be considered by the Applicant in light of the provisions of paragraphs 56 to 58 of the NPPF.



9 Summary and Conclusions

9.1 Summary

- 9.1.1 This Planning Statement has been prepared by Stantec on behalf of Hawridge Strategic Land Ltd to assess the planning issues arising from an Outline planning application for the following description of development for Land South of Cowards Lane, Codicote:

Outline planning application for residential development with means of access for consideration and all other matters reserved for subsequent approval; demolition of all existing structures; associated landscaping, drainage, car parking; infrastructure and all ancillary and enabling works.

- 9.1.2 The proposed development comprises up to 30 dwellings on Land South of Cowards Lane, Codicote. Codicote is one of five villages listed within the North Hertfordshire Local Plan identified to deliver housing, along with supporting infrastructure and facilities. Through the extensive technical assessments and reports submitted in support of this application, it has been demonstrated that there are no overriding technical or environmental issues to prevent the proposed development of the Site. It is considered that the Site is sustainable in terms of location and development and the proposals comply with the Development Plan when taken as a whole.

9.2 Decision-Making Approach

- 9.2.1 The Development Plan comprises the North Hertfordshire Local Plan (2022); Hertfordshire Waste Core Strategy and Development Management Policies Document (2012) and the Hertfordshire Minerals Local Plan (2007).
- 9.2.2 The proposed development represents a significant opportunity to deliver the following economic, social and environmental benefits to Codicote and the wider area, including:
- The delivery of much-needed housing on a sustainable Site, creating a sustainable residential development adjacent to existing built form;
 - The proposed development will contribute positively towards meeting the objectively assessed need for new homes within the District where a significant shortfall exists;
 - The provision of 50% affordable dwellings, in compliance with Policy HS2 (Affordable Housing);
 - A contribution to the local economy through the construction jobs phase of the development;



Land South of Cowards Lane, Codicote

- The creation of new and accessible Green Infrastructure for new and existing residents and additional landscaping and planting throughout the Site; and
- A net gain in biodiversity.

9.2.3 The supporting technical documents submitted as part of the planning application collectively confirm that the proposed development would not have any unacceptable adverse impacts, subject to the recommended mitigation measures being put in place.

9.2.4 The proposed development represents a high quality, sustainable development which, when set against material planning and policy considerations should be supported and planning permission granted. As such, it is our view that the proposed development should be supported.



Appendix A Local Planning Policy Summary

North Hertfordshire Local Plan (2022)

SP1: Sustainable development in North Hertfordshire

9.2.5 Policy SP1 sets out how the Plan will support the principles of sustainable development within North Hertfordshire. The Policy lists the following criteria stating the Council will:

- Maintain the role of key settlements within and adjoining the District as the main focus for housing, employment and new development making use of previously developed land where possible;
- Ensure the long-term vitality of the District's villages by supporting growth which provides opportunities for existing and new residents and sustains key facilities;
- Grant planning permission for proposals that, individually or cumulatively:
 - i. Deliver an appropriate mix of homes, jobs and facilities that contribute towards the targets and aspirations in this Plan;
 - ii. Create high-quality developments that respect and improve their surroundings and provide opportunities for healthy lifestyle choices;
 - iii. Provide the necessary infrastructure required to support an increasing population;
 - iv. Protect key elements of North Hertfordshire's environment including biodiversity, important landscapes, heritage assets and green infrastructure (including the water environment); and
 - v. Secure any necessary mitigation measures that reduce the impact of development, including on climate change; and
- Support neighbourhood plans and other local planning initiatives where they are in general conformity with the strategic policies of this Local Plan.

SP2: Settlement Hierarchy and Spatial Distribution

9.2.6 According to Policy SP2 the Plan makes provision for at least 13,000 new homes between 2011-2031. Most new development (approx. 80%) is to be delivered in six key towns in the District and a further 13% of housing, along with supporting infrastructure and facilities will be delivered within the settlement boundaries of five villages. The remaining development will be dispersed across the district.

9.2.7 Codicote is listed as one of the five villages with an assigned level of development of 363 dwellings. In accordance with the Policies Map for Knebworth and Southern Areas, the Site sits outside but adjacent to the settlement boundary of Codicote.

SP5: Countryside and Green Belt



9.2.8 Policy SP5 sets the Council's approach to development in the Green Belt and at criterion C states, it will only permit development proposals in the Green Belt where they would not result in inappropriate development or where very special circumstances have been demonstrated. In accordance with the Policies Map for Knebworth and Southern Areas, the Site is located wholly within the Green Belt.

SP6: Sustainable Transport

9.2.9 Policy SP6 sets out how the Council will deliver accessibility improvements and promote the use of sustainable transport modes insofar as reasonable and practicable. The Council will:

- Comply with the NHDC Transport Strategy and the provisions of the Local Transport Plan and other supporting documents as relevant;
- Encourage development in locations which enable sustainable journeys to be made to key services and facilities;
- Work with Hertfordshire County Council, neighbouring authorities, Highways England and service providers to ensure that a range of sustainable transport options are available to all potential occupants or users. This may involve new or improved pedestrian, cycle and passenger transport (including rail and/or bus) links and routes;
- Seek the earliest reasonable opportunity to implement sustainable travel infrastructure on Strategic Housing Sites and other development sites in order to influence the behaviour of occupiers or users, along with supporting Travel Plans in order that sustainable travel patterns become embedded at an early stage;
- Assess development proposals against the parking standards set out in this Plan and having regard to relevant supplementary advice;
- Require applicants to provide assessments, plans and supporting documents to demonstrate the safety and sustainability of their proposals; and
- Protect existing rights of way, cycling and equestrian routes and, should diversion be unavoidable, require replacement routes to the satisfaction of the Council.

SP7: Infrastructure Requirements and Developer Contributions

9.2.10 Policy SP7 requires development proposals to make provision for infrastructure that is necessary in order to accommodate additional demands resulting from the development. The policy specifically states developers will be required to provide finance and / or contribute towards provision, which is fairly and reasonably related in scale and kind to the development.



Notably, these provisions can be made via on-site and/or off-site improvements and infrastructure, in addition to maintenance and/or operating costs of any such new provision.

SP8: Housing

9.2.11 Policy SP8 sets out how the Council will support housing growth across the District both during and following the Plan Period to 2031 to provide long-term certainty. It states the Council will identify Strategic Housing Sites to continue delivery beyond the Plan Period by:

- Identifying Strategic Housing Sites that will continue delivery beyond the end of the Plan period in 2031;
- Working with the Government and other relevant agencies to identify new settlement options within North Hertfordshire that can provide additional housing supply in the period after 2026; and
- Safeguarding land to the west of the A1(M) at Stevenage, as shown on the Policies Map to meet longer-term development needs in the period beyond 2026 subject to a future review of this Plan; and
- Undertaking a review of this plan by the end of 2023.

SP9: Design and Sustainability

9.2.12 Policy SP9 states the Council considers good design to be a key aspect of sustainable development. New development that is well designed and located and responds positively to its local context will be supported.

9.2.13 The policy also sets out the Council will assess proposals against detailed policy requirements set out in the Local Plan and have regard to the Design SPD, in addition to adopting the Government's additional technical standards for the size of new homes, water efficiency and, in specified circumstances, accessibility.

SP10: Healthy Communities

9.2.14 Policy SP10 sets out how the Council's vision to provide and maintain healthy, inclusive communities for residents. Of relevance to the proposed development the Council will:

- Work with the NHS Trust, the Clinical Commissioning Groups and other relevant providers to ensure appropriate coverage of healthcare facilities across the District;
- Work with Hertfordshire County Council and education providers to ensure the planning system contributes to the provision of sufficient school places and facilitates the provision of new or expanded schools in appropriate and accessible locations; and



- Protect, enhance and create new physical and green infrastructure to foster healthy lifestyles.

SP11: Natural resources and sustainability

9.2.15 The Policy states the Plan seeks to meet the challenges of climate change and flooding. The key items of relevance to the proposed development include:

- Support proposals for renewable and low carbon energy development in appropriate locations;
- 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;
- Support the principles of the Water Environment (Water Framework Directive) Regulations 2017 and seek to protect, enhance and manage the water environment;
- Work with utilities providers, East Hertfordshire District Council and relevant agencies to ensure additional wastewater treatment capacity is delivered without harm to protected European sites.

SP12: Green infrastructure, landscape and biodiversity.

9.2.16 Policy SP12 seeks to accommodate significant growth in the plan period, whilst ensuring the natural environment is protected and enhanced. The Policy sets out criteria to be considered, those of relevance to the proposed development are, as follows:

- Protect, identify, manage and where possible enhance a strategic multi-functional network of green infrastructure;
- Consider and respect landscape character, scenic beauty and locally sensitive features;
- Protect, enhance and manage biodiversity networks including wildlife corridors, ancient woodlands and hedgerows, wetland and riverine habitats, Local Geological Sites, protected species, priority species and habitats, and non-designated sites of ecological value and ensure measurable net gains for biodiversity; and
- Protect other open spaces and support provision of new and improved open space.

T1: Assessment of Transport Matters

9.2.17 Policy T1 outlines planning permission will be granted provided the proposed development would not lead to highway safety problems or cause unacceptable impacts upon the highway network. Mechanisms to secure any necessary sustainable transport measures and / or improvements to the existing highway network are to be secured in accordance with Policy SP7.

9.2.18 The Policy also requires suitable Transport Statements, Transport Assessments and / or Travel Plans along with supporting documents to be provided where required. Applicants should



demonstrate how the proposed scheme would be served by public transport, routes for pedestrians and cyclists, integration into the existing transport networks.

T2: Parking

- 9.2.19 Policy T2 requires parking for residential developments to be provided in accordance with the minimum standards set out in Appendix 4 of the Local Plan (see below). It is set out that variations from these standards will only be considered where applicants can demonstrate that the accessibility, type, scale, mix and use of the development; the availability of and opportunities for public transport; local car ownership levels; and on-street conditions justify such variations.

Residential Parking Standards

Class Use C3	Car Parking Standard	Minimum Cycle Parking Standard
1 bedroom	1 space per dwelling minimum	1 secure covered space per dwelling. None if garage or secure area provided within curtilage of dwelling
2 – 3 bedrooms	2 spaces per dwelling minimum	
Retirement developments (e.g. warden assisted independent living accommodation)	1 space per dwelling minimum	1 secure and covered space for residents per 5 units.

- 9.2.20 Supplementary text to the Residential Parking Standards, states the above standards will also require visitor / unallocated parking. Garages will be counted towards meeting the standards only if they are at least 7m x 3m measured internally. Reductions from these standards will only be considered where applicants can demonstrate that the accessibility, type, scale, mix and use of the development; the availability of and opportunities for public transport; local car ownership levels; and on-street conditions justify such variations.

HS2: Affordable Housing

- 9.2.21 Policy HS2 states planning permission for new homes will be granted provided that affordable housing is provided in accordance with the targets set out in the policy, subject to viability. In accordance with criterion (a)(i) for applications of 25 or more dwellings the target is 40% affordable housing. In addition, Policy HS2 requires affordable housing to be delivered on-site unless robustly justified and homes to be genuinely affordable to local people where rents or prices are linked to open-market values.
- 9.2.22 The Council's expectation in that the size, type and tenure of any affordable housing meets:
- 9.2.23 65% of the affordable housing required by criterion (a)(i) will be rented and 35% other forms of affordable housing;



- 9.2.24 the housing needs of the area including needs identified by relevant local authority housing register data, Neighbourhood Plans and any settlement- or parish-level surveys or assessments; and
- 9.2.25 the requirements of Policy HS3 and will contribute to an appropriate mix of housing across the site as a whole.

HS3: Housing Mix

- 9.2.26 Policy HS3 states planning permission for new homes will be granted provided that an appropriate ranges of house types and sizes are provided taking into account:
- the overall targets of this plan;
 - the findings of the most up-to-date evidence including the most recent Strategic Housing Market Assessment, the Council's Self Build Register and other relevant evidence of housing need;
 - the location and accessibility of the site; and
 - recent completions, existing permissions and sites in the five year supply.
 - The Policy further states permission will be granted if the scheme would provide a density, scale and character of development appropriate to its location and surroundings.

HS5: Accessible and adaptable housing

- 9.2.27 Policy HS5 sets out planning permission for major residential development will be granted provided applications demonstrate at least 50% of homes can be built to the M4(2) Accessible and Adaptable standard and on schemes where 10 more affordable homes will be delivered 10% of these can be additionally built to the M4(3) wheelchair user standard.

D1: Sustainable Design

- 9.2.28 Policy D1 requires development proposals to respond positively to the site's local context and 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 and waste;
 - retain existing vegetation and propose appropriate new planting;
 - maximise accessibility, legibility and physical and social connectivity both internally and with neighbouring areas; vi. future proof for changes in technology and lifestyle;
 - design-out opportunities for crime and anti-social behaviour; and
 - minimise the visual impact of street furniture and parking provision.



- 9.2.29 Furthermore, development proposals should have regard to the Design SPD and any other relevant guidance, including meeting or exceeding the nationally described space standards and optional water efficiency standards.

D3: Protecting Living Conditions

- 9.2.30 Policy D3 outlines planning permission will be granted for development proposals which do not cause unacceptable harm to living conditions. Where the living conditions of proposed developments would be affected by an existing use or the living conditions of an existing development would be affected by a proposed use, the Council will consider whether there are mitigation measures that can be taken to mitigate the harm to an acceptable level. If the Council is not satisfied that mitigation proposals would address the identified harm, development proposals will not be permitted.

D4: Air quality

- 9.2.31 Policy D4 requires development proposals to give consideration to the potential or actual impact on local air quality, both during the demolition/ construction phase and as a result of its final occupation and use. Appropriate mitigation should be incorporated to minimise emissions and where required air pollution impact assessment should be carried out to determine the impact on local air quality of the development.
- 9.2.32 The Policy further states, where an air quality impact assessment demonstrates that a development is unacceptable from a local air quality perspective the development will be refused. Where air pollution impact assessments are not required there will still be a requirement on developers to provide appropriate levels of mitigation to address emissions of pollutants to the atmosphere.

HE1: Designated Heritage Assets

- 9.2.33 Policy HE1 requires planning applications relating to Designated heritage Assets or their setting to be accompanied by a Heritage Assessment/Justification Statement to assess the significance of heritage assets, including their setting, justification and details of any impacts on designated heritage assets and information of any necessary measures to minimise or mitigate against any harm.
- 9.2.34 The Policy further sets out the circumstances within which planning permission for development proposals affecting Designated Heritage Assets or their setting will be granted. It is stated that where substantial harm to, or loss of significance, of a designated heritage asset is proposed the Council shall refuse consent unless it can be demonstrated that the scheme is necessary to deliver considerable public benefits that outweigh the harm or loss.

HE4: Archaeology



9.2.35 Policy HE4 sets out permission for development proposals affecting heritage assets with archaeological interest will be granted provided that:

- Developers submit an appropriate desk-based assessment and, where justified, an archaeological field evaluation;
- It is demonstrated how archaeological remains will be preserved and incorporated into the layout of that development, if in situ preservation of important archaeological remains is considered preferable; and
- Where the loss of the whole or a material part of important archaeological remains is justified, appropriate conditions are applied to ensure that the archaeological recording, reporting, publication and archiving of the results of such archaeological work is undertaken before it is damaged or lost.

NE1: Strategic Green Infrastructure

9.2.36 Policy NE1 outlines permission will be granted provided development protects, conserves and where possible enhances the strategic green infrastructure network and avoids the loss, fragmentation, severance or negative impact on the function of the network. Where appropriate development proposals should create new strategic green infrastructure and plan for its long-term maintenance and management.

NE2: Landscape

9.2.37 Policy NE2 sets out planning permission will be granted for development proposals that:

- Respect the sensitivities of the relevant landscape character area and have regard to the guidelines identified for built development and landscape management;
- Do not cause unacceptable harm to the character and appearance of the surrounding area or the landscape character area in which the site is located, taking account of any suitable mitigation measures necessary to achieve this;
- 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.

NE4: Biodiversity and Geological Sites

9.2.38 Policy NE4 outlines planning permission will only be granted for development proposals that appropriately protect, enhance and manage biodiversity in accordance with the hierarchy and status of designations and features listed in Policy SP12.

9.2.39 The policy further sets out the requirements for development proposals to deliver measurable net gains for biodiversity and geodiversity, contribute to ecological networks and the water



environment, and/or restore degraded or isolated habitats where possible. As part of this submission of an ecological survey is required and it should be demonstrated that any adverse effects of the development can be avoided and/or satisfactorily minimised having regard to the hierarchy of protection.

- 9.2.40 In addition, measures should be included to manage construction impacts, incorporate appropriate buffers into design to support wildlife habitats and a long-term management and monitoring plan should set out any appropriate mitigation measures as necessary.

NE5: Protecting Open Space

- 9.2.41 Policy NE5 seeks to protect open spaces in the district and states planning permission will only be granted for any proposed loss of open space provided it can be demonstrated that the open space is surplus to requirements and justified on the basis of:

- The quality and accessibility of the open space;
- The extent to which the open space is serving its purpose; and
- The quality and accessibility of alternative public open space.

- 9.2.42 Any loss of open space should also be mitigated against by:

- Re-provision of an appropriate open space taking into account quality and accessibility; and/ or
- Financial contributions towards new or existing open space where:
 - The required provision cannot reasonably be delivered on-site;
 - The required provision cannot be provided on-site in full; and
 - The proposal has over-riding payment benefits.

NE6: New and Improved Open Space

- 9.2.43 Policy NE6 sets out that planning permission will be granted for development proposals that make provision for new and/or improved open space, which meets the needs arising from the development proposals and has regard to the Council's open space standards and other relevant guidance. In addition, development proposals should contribute towards improving the provision, quality and accessibility of open space and incorporate any necessary open space buffer(s) for landscape, visual, ecological or air quality reasons.

- 9.2.44 Where any new on-site provision of open space is proposed a long-term maintenance and management plan will be required. Proposals for new open spaces which meet identified needs will be encouraged in suitable locations, served by a choice of sustainable travel options.

NE7: Reducing Flood Risk

- 9.2.45 Policy NE7 states that planning permission for development proposals will be granted provided that development is appropriately located outside of medium and high-risk flood areas (flood



zone 2 and 3) and other areas affected by other sources of flooding where possible. In areas where this is not possible, application of the sequential and exception tests is to be demonstrated using the Strategic Flood Risk Assessment (SFRA) and Environment Agency flood maps.

- 9.2.46 The policy further states development should be located, designed and laid out to ensure the risk of flooding is reduced whilst not increasing flood risk elsewhere and flood risk should be minimised through flood resistant, resilient design and construction. Where any flood mitigation measure are incorporated in the design, these will not cause harm to nature conservation, heritage assets and/or landscape and recreation.

NE8: Sustainable Drainage Systems

- 9.2.47 Policy NE8 sets out Planning permission for development will be granted provided that:

- The most appropriate sustainable drainage solution is used taking into account technical, viability and design issues to reduce the risk of surface water flooding, enhance biodiversity, water quality and provide amenity benefits;
- It aims to mimic the natural drainage patterns and processes as far as possible; and
- Drainage solutions follow the SuDS hierarchy.

NE9: Water Quality and Environment

- 9.2.48 Policy NE9 states planning permission for development proposals will be granted provided that they make appropriate space for water, including (as applicable):

- Maintaining a minimum 8 metre 134 wide undeveloped buffer zone from all designated main rivers;
- Maintaining a minimum 5m wide undeveloped buffer zone for ordinary watercourses; and
- River restoration and resilience improvements where proposals are situated close to a river or considered to affect nearby watercourses.

NE10: Water Conservation and Wastewater Infrastructure

- 9.2.49 Policy NE10 outlines planning permission will be granted provided that:

- It does not result in the deterioration of any watercourse in accordance with the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 (WFD);
- It helps contribute towards the Water Framework Directive (WFD) actions and objectives;



- It helps achieve the objectives set out in the Anglian and Thames River Basin Management Plans;
- Mechanisms for delivering any necessary new or improved water and/ or wastewater infrastructure are secured under the requirements of Policy SP7; and
- Adequate foul water treatment and disposal already exists or can be provided in time to serve the development.

Codicote Neighbourhood Plan Submission Version (Emerging)

COD 1: Designing with Design Codes

9.2.50 Policy COD 1 requires development proposals to demonstrate the highest quality design, appropriate to the type of development proposed, and integrate well with their environment. Furthermore, the Codicote Design Code and Guidance should be considered when preparing proposals to understand the expectations on design. The Design Code is an integral part of the Neighbourhood Plan and will be used to assess planning applications.

COD 2: Designing for Net Zero

9.2.51 Policy COD 2 states planning proposals should demonstrate how they have considered the most up to date guidance for achieving Net Zero and sustainable construction methods, including the re-use of building materials, should be encouraged.

COD 3: Designing for Flood Resilience

9.2.52 Policy COD 3 sets out hardstanding areas, which form part of development proposals should be minimised and constructed of porous material assisting natural drainage and achieving at least greenfield run-off rate. Landscape proposals should use multifunctional SuDS to manage surface water by providing new blue-green infrastructure and improving biodiversity.

COD 4: Designing for Biodiversity

9.2.53 Policy COD 4 states developments will be expected to provide swift bricks and bat roosts in all suitable new buildings. In all residential schemes, at least one swift brick or bat roost will be included as an integral component of the design of each house, with groups of at least four bricks or roosting boxes provided on small blocks of flats.

COD 11: Local Green Spaces

COD 12: Traffic Congestion and Road Safety

9.2.54 Policy COD 12 requires development proposals to be accompanied by an appropriate and proportionate transport assessment. Where necessary, mitigation measures arising from



transport assessments should address matters of congestion, pollution and highway safety, including pedestrians and cyclists.

COD 13: Public Transport

- 9.2.55 COD 13 states major residential developments should ensure that the development is capable of being served by existing, new or improved local public transport services, which should complement the provision of safe walking and cycling routes. Travel Plans should include information on local public transport services and, where feasible, incentives to use public transport. The policy further states, S106 contributions collected under the provisions of Policy T1 of the Local Plan could contribute to the extension of public and community transport to serve new developments.

COD 14: Safe and Accessible Active Travel Routes

- 9.2.56 COD 14 seeks to encourage active travel and ensure safe and accessible active travel routes are available by requiring new major residential development proposals to demonstrate matters such as:
- Safe pedestrian crossing points with dropped kerbs, vehicle speed reduction measures, minimisation of unnecessary road and pavement gradients, and wide, level pavements;
 - Segregated cycle paths, on-site provision of cycle hire or a bike club where appropriate, and secure cycle storage for each occupant; and
 - Improvements to walking routes to provide unobstructed access to key village services, accessible for individuals with reduced mobility and visual impairments, and improved connectivity for horse riders and cyclists wishing to access facilities within the village.

COD 15: Sustainable Water Supply

- 9.2.57 COD 15 requires all residential developments to be positively designed to achieve the mains water consumption standard of no more 110 litres per person per day, to achieve the reduction in extraction rates and protect the flow rate of the River Mimram. In addition, major development proposals should provide evidence that the water supplier can ensure minimum acceptable flow rates for the chalk stream, as set out in the water supplier Drought Management Plan, or similar replacement strategy.

COD 16: Landscape Character and Important Views

- 9.2.58 Policy COD 16 sets out Development proposals will be supported where it can be demonstrated that measures have been taken to contain and mitigate the visual impacts of development on the open character of the landscape setting of Codicote. Identified View 10 is of most significance to the proposed development, which is the view from St Albans Road looking south east on Cowards Lane.



- 9.2.59 The policy further states, any development proposals within the identified views should include a proportionate landscape and visual impact assessment, using an appropriate methodology, of harm to cherished views. Proposals where a harmful impact is identified will be required to provide and implement effective mitigation measures.

COD 17: Biodiversity and Ecological Connectivity

- 9.2.60 Policy COD 17 states development proposals should conserve and enhance biodiversity and deliver net biodiversity gains. The Hertfordshire Ecological Network Mapping should be consulted and appropriate mitigation implemented depending on the colour assigned to the location.

COD 19: Climate Change Resilience

- 9.2.61 Policy COD 19 sets out a list of climate change resilience measures, as follows:
- i. New Green Infrastructure (GI) should be included in all major development proposals. Such GI should be climate resilient, provide functional wildlife habitat and where possible, public access.
 - ii. New habitat creation should link to existing habitat so that species can migrate to respond to climate change.
 - iii. Tree and shrub planting should be provided wherever possible to provide shading and cooling.
 - iv. Hedgerows, trees and verges should be retained within and around the boundaries of development sites, wherever possible.
 - v. Where development results in the unavoidable loss of trees, replacements should be of no less arboriculture or amenity value, mature, predominantly native or suitable climate resilient species.

COD 20: Designate Heritage Assets

- 9.2.62 Policy COD 20 states in accordance with at district level and the guidance in the Codicote Conservation Area Character Statement 2019, Old Knebworth Conservation Area Character Statement 2011, and subsequent updates, the character or appearance of Codicote Conservation Area and its setting will be preserved, and where possible, enhanced. Development proposals that could worsen the on-street and pavement parking issues must provide appropriate mitigation solutions.

