

NORTH HERTFORDSHIRE DISTRICT COUNCIL

Town and Country Planning Act 1990

DECISION NOTICE

Correspondence Address:

Croudace Homes Ltd
Croudace Homes Ltd
The Spirella Building
Bridge Road
Letchworth Garden City
SG6 4ET
United Kingdom

Applicant:

Christopher c/o agent

PARTICULARS OF DEVELOPMENT

Application: 23/00743/RM

Proposal: 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 02.11.2022) (as amended by plans and documents received 30th October, 29th November, 20th and 22nd December 2023 and 4th January, 7th February, 7th March and 18th April 2024).

Location: Land Adjacent To Oaklea And South Of, Cowards Lane, Codicote, Hertfordshire, SG4 8UN

Plan Nos:

LC-010_P01	PL-100_P15	PL-103_P08	PL-104_P08	PL-105_P06
PL-106_P06	PL-107_P06	PL-109_P07	PL-200_P04	PL-201_P04
PL-202_P04	PL-203_P07	PL-204_P06	PL-205_P04	PL-207_P05
PL-208_P04	PL-209_P06	PL-210_P04	PL-211_P04	PL-212_P04
PL-213_P04	PL-214_P05	PL-215_P05	PL-216_P04	PL-217_P05
PL-218_P04	PL-219_P05	PL-220_P06	PL-221_P07	PL-223_P06
PL-224_P05	PL-225_P03	PL-226_P03	PL-300_P07	PL-301_P06
PL-302_P03	PL-102_P08	DES-093-501 Rev B - Landscape Strategy	DES-093-502 Rev B - Planting Plan	PL-227_P02
4220651-1200-P3	HS1160_01B	HS1160_02B	HS1160_03B	HS1160_04B

PARTICULARS OF DECISION

In pursuance of its powers under the above Act and the associated Orders and Regulations, the Council hereby **GIVE APPROVAL** to the details submitted by you in your application received on 27 March 2023 and which were reserved for later approval in outline permission no.17/01464/1.

This approval is subject to the following condition(s):

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

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

2. Prior to the commencement of development (excluding the construction of the S278 access points and 10m of estate road) finished floor levels plans shall be submitted to and approved in writing by the Local Planning Authority. These need to show fixed points throughout the site to demonstrate the internal impact on each other and the external impact on neighbouring properties in terms of height. The following two plans shall be required:
 1. Existing topographical survey.
 2. Proposed survey with fixed data points correlating to the existing topographical survey, ground levels between gardens and finished floor levels which back onto each other and neighbouring properties.

The approved details shall be implemented on site.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality and in accordance with and in accordance with Policy D3 of the North Hertfordshire Local Plan (2011-2031).

3. Notwithstanding the approved plans and documents submitted with this Reserved Matters application, prior to commencement of any above ground construction works, full landscape details shall be submitted and approved in writing by the Local Planning Authority and shall include the following:

a) which, if any, of the existing vegetation is to be removed and which is to be retained

b) what new trees, shrubs, hedges and grassed areas are to be planted, together with the species proposed and including sizes, numbers/densities, species, maturity and location of trees/shrubs/plants and sufficient specification to ensure successful establishment and survival of new planting. Details to include the landscape buffer on the western boundary adjacent to The Riddy and the bulking up of the boundary hedge on the boundary with Oaklea, Cowards Lane.

c) the location and type of any new walls, fences or other means of enclosure and associated structures and equipment and any hardscaping proposed. Including boundary treatment on boundaries with neighbouring properties including details of boundary treatment to plot 80 (to not include a wall abutting boundary hedge as shown on the approved plans) and including details of gates to access rear gardens.

d) details of any earthworks proposed

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality and with Policies D1 and NE2 of the North Hertfordshire Local Plan (2011-2031).

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

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality and with Policies D1 and NE2 of the North Hertfordshire Local Plan (2011-2031).

5. Prior to the commencement of any above ground construction works details of LEAP (Local Equipped Area of Play) shall be submitted and approved in writing by the Local Planning Authority. The approved details shall be implemented and maintained on site.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality and in accordance with Policy D1 of the North Hertfordshire Local Plan (2011-2031).

6. Notwithstanding the information submitted with the application, prior to commencement of any above ground construction works, a Landscape Maintenance and Management Strategy Plan shall be submitted and approved in writing by the Local Planning Authority. The Landscape Maintenance and Management Strategy Plan shall be complied with in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality and in accordance with Policy D1 of the North Hertfordshire Local Plan (2011-2031).

7. Development shall be carried out in accordance with the Arboricultural Planning Statement (dated February 2023) by ADAS unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard and enhance the trees on the site and in accordance with Policy NE2 of the North Hertfordshire Local Plan (2011-2031).

8. Prior to the commencement of the works enabling the two pedestrian connections with Cowards Lane, details of the two pedestrian connections with Cowards Lane shall be submitted and approved in writing by the Local Planning Authority. These details shall include a section plan of showing vegetation (trees and hedgerow) to be removed and demonstrate how the change in levels will be dealt with. The approved details shall be implemented on site prior to occupation of any of the dwellings.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality and in accordance with Policy D1 of the North Hertfordshire Local Plan (2011-2031).

9. The existing hedge on the boundary with Oaklea, Cowards Lane, shall be retained unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality and in accordance with Policies D1 and D3 of the North Hertfordshire Local Plan (2011-2031).

10. Prior to the first occupation of the development hereby approved details of siting, number and design of physically covered bin stores shall have been submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be installed prior to the occupation of each dwelling and permanently retained for bin storage.

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

11. Should an electricity substation be required on the site, prior to the commencement of the erection of the electricity substation, details of its location and full external details of the building, and of associated enclosures and works, shall be submitted to, and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details as approved.

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

12. The window at first floor level on the west elevation of the dwelling on Plot 80 (facing Oaklea, Cowards Lane) hereby permitted shall be permanently glazed with obscure glass and permanently fixed with only top vent opening.

Reason: To safeguard the privacy of the occupiers of the adjacent dwelling and in accordance with Policy D3 of the North Hertfordshire Local Plan (2011-2031).

13. No windows (other than that shown on the approved plan) shall be inserted at first floor level or above on the west elevation (facing Oaklea, Cowards Lane) of the

dwelling on plot 80 hereby permitted, without the specific grant of planning permission by the Local Planning Authority.

Reason: To safeguard the privacy of the occupiers of the adjacent dwelling and in accordance with Policy D3 of the North Hertfordshire Local Plan (2011-2031).

14. The window at first floor level on the west elevation of the dwelling on Plot 40 (facing 5 and 6 The Riddy, Cowards Lane) hereby permitted shall be permanently glazed with obscure glass and permanently fixed with only top vent opening.

Reason: To safeguard the privacy of the occupiers of the adjacent dwellings and in accordance with Policy D3 of the North Hertfordshire Local Plan (2011-2031).

15. No windows (other than that shown on the approved plan) shall be inserted at first floor level or above on the west elevation (facing 5 and 6 The Riddy) of the dwelling on plot 40 hereby permitted, without the specific grant of planning permission by the Local Planning Authority.

Reason: To safeguard the privacy of the occupiers of the adjacent dwelling and to comply with Policy D3 of the North Hertfordshire Local Plan 2011 to 2031.

16. Notwithstanding the approved parking plan, prior to the first occupation of the development hereby approved details of siting, number and design of the Electric Vehicle Charging Points shall have been submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be installed prior to the occupation of each dwelling and permanently retained.

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

17. Notwithstanding the cycle storage details submitted with the Reserved Matters application, in conjunction with Condition 21 of the outline planning permission, prior to the first occupation of the development hereby approved further details of siting, number and design of secured/covered cycle parking spaces shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include secondary pedestrian access to the proposed garages (including the attached garages) and the detailed design of the cycle sheds, unless otherwise agreed in writing by the Local Planning Authority. The approved details shall thereafter be installed prior to the occupation of each dwelling and permanently retained for cycle parking.

Reason: To ensure the provision of cycle parking spaces in line with the Council's adopted standards and to encourage use of sustainable modes of transport and in accordance with Policy T1 of the North Hertfordshire Local Plan (2011-2031).

18. Prior to commencement of any above ground construction works an updated Biodiversity Metric to reflect all of the relevant habitats and features proposed on the relevant design drawings shall be submitted and approved by the Local Planning Authority.

Reason: To ensure the BNG claimed is accurate and can be monitored accordingly and in accordance with Policy NE4 of the North Hertfordshire Local Plan (2011-2031).

19. Prior to commencement of any above ground construction works an updated Management Strategy to reflect management details to include:
- o Removal of cuttings in order to maintain species-rich grasslands
 - o Details of species-mix proposed for the planting species-rich wildflower grasslands.

Shall be submitted and approved in writing to the Local Planning Authority. The approved updated Management Strategy shall be complied with on site in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

Reason: to ensure the species-rich grasslands are defined purposes, and management to maintain their interest and in accordance with Policy NE4 of the North Hertfordshire Local Plan (2011-2031).

20. Prior to commencement of any above ground construction works an updated plan to show species-specific features proposed across the site:

- o integrated and free standing bird boxes (including swift boxes);
- o integrated and free standing bat boxes;
- o hedgehog holes
- o reptile / amphibian hibernacula

Shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented on site prior to occupation.

Reason: to ensure protected species issues are adequately considered in the design and management of the development site and in accordance with Policy NE4 of the North Hertfordshire Local Plan (2011-2031).

Informative/s:

1. Waste and Recycling Informative

Considerations when planning waste and recycling provision

For houses, waste collection is a kerbside service; therefore residents must be able to take their bins to the kerbside for emptying. Bins must be accessible to crews directly from the kerbside, without pulling distances.

Adequate off-street storage must be provided for bins, and storage areas need to have sufficient space for all necessary waste and recycling containers.

Storage areas should be conveniently located with easy access for residents - residents should not have to take their waste and recycling more than 30 metres

to a bin storage area, or take their waste receptacles more than 25 metres to a collection point, (usually kerbside) in accordance with Building Regulations Approved Document H Guidance.

Vehicular access

We currently operate a number of different-sized vehicles. The majority that we operate at present are 26 tonne with a 6x2 chassis. The chassis configuration differs between vehicles, but the largest turning circle is on our mid-steer vehicles. Typical maximum dimensions are as follows:

- o Width: 2,500mm (without mirrors)
- o Height: 3,400mm (without hazard beacons)
- o Turning circle: 22,800mm
- o Overall length: 12,100mm (from front to rear of bin lift)

All roadways should be constructed to facilitate waste collections prior to occupation. This is particularly important to consider when waste collections occur from the rear of properties or from a different street from the main entrance to the properties.

2. LLFA Informative

In December 2022 it was announced FEH rainfall data has been updated to account for additional long term rainfall statistics and new data. As a consequence, the rainfall statistics used for surface water modelling and drainage design has changed. In some areas there is a reduction in comparison to FEH2013 and some places an increase (see FEH22 - User Guide (hydrosolutions.co.uk)). Both 2013 and 2023 are currently accepted. For the avoidance of doubt the use of FSR and FEH1999 data has been superseded by FEH 2013 and 2022 and therefore, use in rainfall simulations are not accepted.

Signed:



Shaun Greaves
Development and Conservation Manager

Development Management
North Hertfordshire District Council
Council Offices
Gernon Road
Letchworth
Herts
SG6 3JF

Date: 18 June 2024

The Council's Privacy Notice is available on our website: <https://www.north-herts.gov.uk/home/council-data-and-performance/data-protection/information-management-gdpr>

NOTES

- 1 **Failure to satisfy conditions may invalidate this permission and/or result in**

enforcement action. Particular attention should be paid to the requirements of any condition in bold.

- 2 Circular 04/2008 (Planning Related Fees) states that where an application is made under Article 21 of the Town and Country Planning (General Development Procedure) Order 1995, a fee will be payable for any consent, agreement or approval required by condition or limitation attached to the grant of planning permission.
- 3 The fee is £145 per request or £43 where the permission relates to an extension or alteration to a dwellinghouse or other development in the curtilage of the dwellinghouse. No fee is required for applications resulting from a condition removing "permitted development rights".

The request can be informal through the submission of a letter or plans, or formal through the completion of an application form and the submission of plans. Any number of conditions may be included on a single request. The form is available on the Council's website:
www.north-herts.gov.uk/home/planning/planning-applications/submit-planning-application
- 4 If the development hereby permitted is one that will require a new postal address/es then please contact the Council's **street naming and numbering service** on 01462 474431 or email SNN@north-herts.gov.uk who will advise you on how to apply for the new address/es.

Any proposed sales and/or marketing name to be adopted by the developer should be forwarded to the **street naming and numbering service**, prior to any publication of the site details and sales information.
- 5 If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

6 Purchase Notices

If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

- 7 The District Council and County Highway Authority wish to ensure that, in the implementation of the development, hereby approved, the highway verge adjacent to the property is not damaged or does not become unsightly due to the stationing of skips, parking of vehicles, storing of building materials etc thereon. Your attention is, therefore, drawn to the provisions of Section 131 of the Highways Act 1980 and to the Hertfordshire County Council Bylaws 1955 (specifically relating to grass margins and verges in Letchworth Garden City) by virtue of which such actions, unless authorised by the prior grant of a licence, constitute a prosecutable offence. Persons responsible for undertaking the development and any associated works are, therefore, strongly encouraged to take appropriate steps to ensure that no breach of the said legislation occurs during the course of such activities. In the event of any damage being caused it will be expected that suitable reinstatement is undertaken upon completion of the development. Failure to do so could also result in legal action being pursued. To obtain information regarding the issue of licences, contact Hertfordshire Highways, Hertfordshire County Council, County Hall, Pegs Lane, Hertford, SG138DQ or telephone 0300 1234 047.

8 Cadent Gas Informative:

Cadent Gas own and operate the gas infrastructure within the area of your development. Contact our Plant Protection Team for approval before carrying out

any works on site and ensuring requirements are adhered to. Email plantprotection@cadentgas.com Alternatively you can register on www.beforeyoudig.cadentgas.com This service is free of charge.

THIS PLANNING PERMISSION DOES NOT CONSTITUTE APPROVAL UNDER BUILDING REGULATIONS AND IS NOT A LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT. IT DOES NOT CONVEY ANY APPROVAL OR CONSENT WHICH MAY BE REQUIRED UNDER ANY ENACTMENT, BYE-LAW, ORDER OR REGULATION OTHER THAN SECTION 57 OF THE TOWN AND COUNTRY PLANNING ACT 1990.

Consent for these works may be required from the Letchworth Garden City Heritage Foundation (www.leitchworth.com/heritage-foundation) under the Scheme of Management or leasehold covenants. If you do not already have their approval, you are advised to contact the Heritage Foundation on home@leitchworth.com or 01462 476017 to confirm whether you also need to submit an application to them.