



APPENDIX 1: Written Response Pre-Application Ref. 24/02602/PRE

Peter George Town Planning
Nine Hills Road
Cambridge
CB2 1GE

Our Ref: 24/02602/PRE

Contact: Tom Rea
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Date: 20 February 2025

FAO: Tom Donovan

Dear Sir

**Pre Application Advice : Erection of a pair of detached dwellings with access, private gardens, landscaping and area for biodiversity net gain
Land Between Shangri-La And Todds Corner, Stevenage Road, Todds Green, Hertfordshire, SG1 2JE**

Please quote the following reference: 24/02602/PRE on all correspondence.

Thank you for your pre-application submission concerning the above site received on 1 February 2025. I apologise for the delay in replying.

I have visited the site and undertaken consultation with the Council's Ecologist and Environmental Health team. I will email separately the comments of the Council's Ecologist.

Principle of the development

As the site is within the Green Belt the key issue is whether the proposals can be considered appropriate development. Paragraph 154 of the NPPF says that development in the Green Belt is inappropriate other than several exceptions including 'limited infilling in villages'. This term is not defined in the NPPF nor are there any policies in the North Herts Local Plan 2011 – 2031 that provides a definition for 'limited infilling' or 'villages'.

The proposed site is within the Wymondley Neighbourhood Plan area. The WNP (made 2016) has a policy concerning Green Belt (Policy GB1) but it does not define 'limited infilling' or 'villages' either.

The settlement of Todds Green straddles the boundary between North Herts District and Stevenage Borough Council and comprises over 50 dwellings (taking into account recent permissions and those under construction) as well as various farm and commercial buildings. There are no community facilities or shops however a settlement

of this size could reasonably be defined as a village in my view. That said, regard must be had to the settlement strategy set out in Policy SP2 of the Local Plan which seeks to focus new development on the towns and category A, B & C villages the inference being that outside these settlement areas development will be restricted.

The next question is whether the site can be considered 'limited infilling'. There is a linear pattern of development through Todds Green on both sides of the road starting from the junction of Stevenage Road with Chanty Lane through to where Stevenage Road splits into two at the junction with Thatched Cottage and the property at 'Shangri-La'. Apart from the prospective site there are no obvious gaps in this frontage. The site is flanked by Todds Corner to the north and 'Shangri-La' to the south and there is housing development opposite. The gap is relatively wide although, as shown in the illustrative drawings, the development of two houses would be more or less in line with the two flanking properties thus maintaining the linear pattern of development. Given the established pattern and grain of development in this part of the village I am of the view that the development could be considered limited infilling in the village and therefore would not be inappropriate development meeting as it does one of the exceptions set out in paragraph 154 of the NPPF.

Paragraph 153 of the NPPF states that: 'When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness' In this case under the spatial assessment, there would be some harm to the openness of the site but the perception of openness is more related to the rear of the site as it projects into open countryside beyond the two flanking houses. I consider that this minor harm can be mitigated by the landscaping proposed at the rear of the site to define the residential curtilages of the dwellings.

In terms of visual harm the site has no inherent visual qualities at present other than its openness. The perception of openness would be reduced but there would still be some gaps through which the open countryside beyond could be seen.

The Council's Green Belt Review Update 2018 appears to place the area as having a 'significant contribution' to the purposes of the Green Belt and it may be worth taking this document into account in any assessment of the impact of the development on the importance of the Green Belt in this location. Link attached below:-

The link for the report is: <https://www.north-herts.gov.uk/sites/default/files/ED161A%20NHDC%20Green%20Belt%20Review%20update%20-%20main%20report.pdf>

And the appendices: <https://www.north-herts.gov.uk/sites/default/files/ED161B%20NHDC%20Green%20Belt%20Review%20update%20-%20appendices.pdf>

Other harm to the Green Belt could include the further urbanisation of the locality.

The application would need to be assessed against the five purposes of the Green Belt under paragraph 143 of the Framework and in particular 143 c).

My view is that any harms would be limited and outweighed by the benefit of the delivery of two housing units at a time when the District cannot demonstrate a five year supply of deliverable housing land.

Design and appearance

Within the settlement of Todds Green there are a variety of house types both in age, size and appearance. There is no strong design code however the established linear pattern seems to be dominated by two storey pitched roof dwellings displaying traditional architectural features such as timber framed gables, chimneys, decorative brickwork, tile hanging, porches and some modest roof dormers. In terms of landscaping much of the street frontage is dominated by hedges and low walls and fences with gravel or block paved driveways. I note that the proposed design and appearance of the dwellings mirrors to a large extent this character and appearance helping to blend in the development especially when new landscaping becomes more established over the longer term. Overall I would have no objections to the design and appearance of the dwellings as presented.

Landscaping

Towards this southern end of the settlement landscaping seems to be more dominant in the form of higher hedgerows, mature trees and soft verges. The site frontage itself however is more or less devoid of landscaping and comprises a post and rail fence. I have considered the landscape mitigation plan and would agree that setting back the dwellings behind the fence line with new tree planting and hedgerow planting in front of the dwellings is the correct approach. The provision of a single point of access also assists in achieving this heavily landscaped frontage. The bin storage area must be discreetly sited and screened.

Highway matters

Restricting the access to the proposed dwellings via the existing access point with a shared private driveway seems the sensible option bearing in mind the location close proximity to the roundabout. It is likely that the highway authority will want to see sites lines demonstrated but with the wide verge I do not anticipate this being a problem. The landscaping to the northern corner of the site with Todd's Corner may need to be cut back. There will be an intensification of use of the access point but I would expect additional movements to and from the access point would be minimal for this scale of development.

There seems to be sufficient parking area within the submitted layout drawings to accommodate the needs of the development including any visitors.

It may be that the highway authority would wish to see the footpath to the north extended a short distance to link up with the access point and the bend in the road highway sign re-located. I can see no need to continue the footpath across the site frontage as pedestrian access southwards is on the opposite side of the road



The Highway Authority appear sensitive these days to any new development outside established settlements and regularly raise objections to locations which they consider unsustainable. I do not consider that this location is unsustainable given the bus route through Stevenage Road and the proximity of Stevenage to the south accessible by a footpath / part cycleway. It may be worth obtaining pre-application advice from the Highway Authority to ensure that there are no highway related concerns that become apparent at the application stage.

Biodiversity

I note that a Preliminary Ecological Appraisal will be submitted which is welcome.

This development will need to demonstrate a 10% biodiversity net gain and I note the area set aside at the rear of the site to achieve this requirement. The Planning application will need to be accompanied by a BNG assessment and matrix calculator demonstrating BNG.

Energy & Sustainability

The LPA adopted a Sustainability SPD in 2024. For this scale of development both a sustainability and energy statement would be required – see link below to validation requirements including the matrix.

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Heritage Impact

The assessment of the impact of the development on 'Thatched Cottage' is noted. In my view the listed building has no physical or historical connection with the application site and the impact is probably neutral. Any application should be accompanied by such an assessment having regard to the advice set out in the Framework.

Other matters

There are no other matters of significance in my view that cannot be dealt with via planning conditions such as contamination and noise during construction. A flood risk assessment would not be required provided the site area is under 1 hectare.

Documents required to support a planning application

Planning, Design and Access statement

Energy and Sustainability statement

Statutory BNG Metric

Existing and Proposed Plans and elevations. A street scene drawing showing adjacent properties to the north and south is recommended. A topographical survey and site sections is also recommended. A drawing showing vehicular sight lines will be expected by the Highway Authority.

Landscape drawing and planting plan

Conclusion

I consider that the principle of the development may be acceptable on the basis that this development could be considered as limited infilling in a village and therefore not inappropriate development. There may be some limited harm in terms of the spatial and visual impact of the development however the benefit of the delivery of housing outweighs this limited harm in my view. Highway issues may need some clarification with the Highway Authority but otherwise I do not foresee any particular planning issues that cannot be dealt with via conditions.

The above view is given as an opinion of an officer of the Council and is not binding on any future decision of the Local Planning Authority.

Yours faithfully



Ian Fullstone
Service Director – Regulatory

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APPENDIX 2: Delegated Report Application Ref. 19/01925/FP

DELEGATED FILE NOTE

CASE OFFICER: ...Tom Rea.....

**APPLICATION
REFERENCE**

**BRIEF DESCRIPTION OF
DEVELOPMENT**

APPLICATION SITE

19/01925/FP

Erection of one detached 4-bed dwelling and detached double garage following demolition of existing barn. Creation of vehicular access off Stevenage Road

Land Between Little Orchard And The Coach House
Todds Green
Stevenage
Hertfordshire

Submitted Plan Nos

19/040/101C 19-040B -1 19-040B -2 19-040B -3 19-040B -4 19-040B -5 19-040B -6 19-040G P1047-1

1.0 Policies

LP2	Green Belt
LP14	Nature Conservation
LP16	Areas of Archaeological Significance
LP55	Car Parking Standards
LP57	Residential Guidelines and Standards
SECN11	Making effective use of land
SECN12	Achieving well-designed places
SECN13	Protecting Green Belt Land
SPDVP	Vehicle Parking at New Development
XD1	Sustainable Design
XD3	Protecting Living Conditions

2.0 **Site History**

- 2.1 02/00825/1: Detached two storey dwelling. Refused permission 16th July 2002.
Dismissed on appeal 10th December 2002

3.0 **Representations**

- 3.1 **Site Notice/Adjoining occupiers:** No representations received
- 3.2 **Wymondley Parish Council :** No replies received
- 3.3 **Hertfordshire Highways:** No objections. Recommends conditions and informatives.
- 3.4 **HCC Historic Environment Advisor:** Advises that the development is unlikely to have a significant impact on heritage assets of archaeological interest and therefore does not wish to make any comments upon the proposal.
- 3.5 **NHDC Environmental Health officer (Contamination):** Requests a Phase 1 Preliminary Risk Assessment condition, an EV charging condition and Informatives.
- 3.6 **NHDC Environmental Health officer (Noise):** No response

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 The application site comprises an irregular shaped area of land (0.1015 hectares or 0.25 acres) located on the south side of Stevenage Road, Todds Green. The site has a frontage onto Stevenage Road of approximately 32m in length and a depth overall of about 53m. The site is relatively flat and generally open in character with a small barn and a small shed. The site is largely clear of trees although there is a substantial conifer hedge along the western boundary and a small group of trees in the north western corner close to the road. The front boundary has a narrow vehicular access. The site is overgrown and sits between 'Little Orchard' and 'The Coach House' Opposite the site is a row of detached two storey residential properties. The site is enclosed on both sides and at the rear by a 1.8m high fence. The site tapers towards the rear so that it has an angle boundary with the neighbouring properties.

Todds Green is a small settlement of approximately 45 dwellings including traditional two storey detached and semi-detached dwellings. In addition there are two areas used for industrial purposes with the larger site on the southern edge of the settlement containing a number of storage and commercial units. The application site and the surrounding area is washed over by the Green Belt designation in the current local plan and the Emerging Local Plan.

4.2 **Proposal**

- 4.2.1 The applicant seeks full planning permission for a detached 4 bedroom dwelling and a detached double garage.

The house would be set back 20 metres from the Stevenage Road boundary. It would have an angled relationship with the side boundaries so that it would be 2.8m at its

nearest point with 'Little Orchard' and set at least 3.4m from the boundary with 'The Coach House'.

The house is of a chalet design incorporating front and rear dormer windows and projecting front and rear gables. The roof would be half hipped with the first floor contained within the roof with a single storey eaves lines. The dwelling would be 7.8m in overall height, 12.5m wide and 9.5m in depth. The dwelling would be of a traditional design incorporating features such as a chimney, exposed rafter feet, casement windows and pitched roof dormers together with a brick plinth detail. The main walls would include a timber frame detail with painted render. The detached garage would have a timber boarded appearance with traditional pitched and gabled roof including exposed rafter feet.

Due to the falling ground levels the proposed dwelling would be approximately 800mm lower than 'Little Orchard'

The front curtilage of the dwelling would include a central access (3.8m wide with radii curved kerbing onto Stevenage Road) and turning area sufficient to allow vehicles to enter and leave the site in forward gear.

4.3 Key Issues

- 4.3.1 The key issues are the principle of the development having regard to Green Belt policy, character and appearance, sustainability, impact on neighbours, highway safety and environmental implications.

4.3.2 Principle of development

Paragraph 145 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are set out and include at criterion e) :

'limited infilling in villages;'

- 4.3.3 I consider that Todds Green can be considered a village rather than a hamlet given the amount of dwellings and employment land / property located within it. The dwellings are concentrated within a small and almost continuously built up area along Stevenage Road and the application site, although towards the western end of the village is surrounded on almost all of its boundaries by residential development. The proposed dwelling on this plot would infill a gap within the built up linear development along Stevenage Road. I consider that the proposed development would be consistent with criterion e) of paragraph 145 of the NPPF and that very special circumstances for this development do not have to be demonstrated.

- 4.3.4 Paragraph 144 of the NPPF states that local planning authorities should, when considering any planning application, ensure that substantial weight is given to any harm to the Green Belt. The essential characteristics of Green Belts are their openness and their permanence. In this case the application site is a relatively small gap located within a built up frontage of dwellings. Many of the dwellings here in Stevenage Road have similar frontage widths as the application site. There are buildings opposite, to the side of the plot and to the rear. The site does not have the characteristic of open countryside given the form of development around it and

therefore I do not consider that the development will harm the openness of the Green Belt in this location or undermine the five purposes of Green Belt as set out in paragraph 134 of the NPPF.

- 4.3.5 The appeal decision to refuse an outline application for residential development in 2002 is acknowledged however since that time there has been a significant change in planning policy e.g. with the introduction of the NPPF and the National Planning Policy Guidance and changes in permitted development allowing conversions of rural buildings to residential use. There is now more emphasis on promoting sustainable development in rural areas. In addition there has been the District Local Plan with Alterations 1996 adopted and now the Emerging Local Plan 2011 - 2031.
- 4.3.6 As of April 2019 North Hertfordshire District Council has only a 1.3 years supply of housing land. This is contrary to the requirements of the Framework which requires Local Planning Authorities to maintain a five year supply of deliverable housing land. Given the site's reasonably close proximity to services in Stevenage I consider that this is a compelling argument to grant planning permission in addition to the policy arguments advanced above.
- 4.3.7 In conclusion on the principle of development I consider that the proposal meets one of the exceptions to allowing built development within Green Belt as set out in paragraph 145 of the NPPF i.e that it would consist of limited infilling in a village. In addition there would be no harm to the openness of the Green Belt given the contained nature of the site with residential development surrounding it.

Given the above no very special circumstances are required to be demonstrated and therefore the application can be considered on its merits having regard to other material considerations as set out below.

4.3.8 Character and appearance

The application site is located within a small village dominated by housing development. The site sits within the main linear development along Stevenage Road. There are two storey houses either side and opposite the site. Many of the surrounding dwellings are detached and sited on reasonably spacious plots with garages. As such, the detached dwelling and garage proposed with this application would not be unsympathetic to the prevailing form of development in the locality.

- 4.3.9 Since the refusal of planning permission in 2002 on appeal there has been a gradual change in the undeveloped appearance of this southern section of Stevenage Road in the village of Todds Green. Several of the houses have been extended including Little Orchard and planning permission has been granted for a new infill development of a large detached house and garage and outbuilding between Little Orchard and Fallowfield (under construction). Planning permission has recently been granted to extend a garage at The Coach House immediately adjacent. Properties opposite the application site have also been considerably extended and altered in recent years. All of these factors combine in my opinion to consolidate development along this part of Stevenage Road so that the introduction of an additional dwelling on the plot would conform with the prevailing pattern of development.

- 4.3.10 In terms of design the proposals are sensitive to the edge of village locality and the scale of surrounding property. A chalet design retains a single storey eaves level and minimises the bulk and 'presence' of the building in the street scene. It is set back a considerable distance from the road (20m) and would be of a similar building line as Little Orchard. The traditional design and use of rustic materials such as brick, render and timber framing are appropriate to the rural setting. The garage is set back at least 12m from the road and more or less at right angle to it so that the narrower elevation is presented to the road. This, together with its relatively low roof (maximum height 4.9m to ridge), and screening through new tree planting as shown indicatively on plan 101 C, results in a reasonably unobtrusive impact.
- 4.3.11 The siting of the dwelling is such that it allows for several metres of space either side of the house in order to reflect the spatial character of the area. A landscaping scheme is recommended so that that boundary planting, fencing and walling in particular ensure that the development blends in with the street scene.
- 4.3.12 Overall, it is considered that the proposed development would not be harmful to the character and appearance of the area.

4.3.13 Sustainability

The application site is within a few minutes walk of the built up area of Stevenage and is within walking distance of Little Wymondley where there is a primary school and pubs. The site is on a bus route and there is a footpath along Stevenage Road. Employment opportunities exist within the village. Larger scale shopping and leisure facilities are available within a few minutes drive in Stevenage. It is accepted that many journeys made by the occupants of the new dwelling will be by car however public transport is an option and there are local facilities nearby that are within walking and cycling distance. Paragraph 103 of the NPPF states 'opportunities to maximise sustainable transport solutions will vary between urban and rural areas and this should be taken into account in both plan-making and decision-making'

Economically the development will assist in providing employment through the construction period and in the service industry going forwards. Socially the occupiers of the new development will support local facilities such as the school in Wymondley and local pubs. In terms of environmental impact public transport is available and I have already concluded that there will be no harm to the character and appearance of the area. Overall I consider that this development will have regard to the three dimensions of sustainable development identified in section 2 of the NPPF.

4.3.14 Impact on neighbours

Little Orchard is sited on slightly higher ground than the application site and the main aspects of this dwelling face north – south with few windows facing the application site. There are no first floor windows on the side elevation of the new house facing Little Orchard and the houses would be separated by a gap of around 8m with the intervening boundary fence in between. I consider that the relationship is sufficient to avoid any loss of amenity to either property.

The Coach House is sited over 15 m beyond the side boundary with the new plot with a garage and parking area between that house and the new house. Given this

distance and the boundary fencing I do not consider that there would any overbearing impact on the Coach House. A first floor window is proposed facing across to The Coach House however because of the forward position of the new dwelling to The Coach House and what would be a fairly acute angle of view across to the more private rear garden of The Coach House from this window I do not consider that there would be any loss of privacy occasioned to the occupiers of the existing property.

There may be some short term noise and disturbance to neighbours through the construction period however it is unlikely that there would be any such disturbance once the dwelling is completed and in operational use.

I consider that the proposed dwelling would not give rise to any significant loss of amenity to the existing adjacent residents.

4.3.15 Highway safety

The submitted plans show a new access positioned centrally within the front boundary and that sight lines of 2.4 x 43m can be achieved in both directions. The Highway Authority raise no objection to the proposals. means of access to the site is not for consideration with this application. However, the site is within a 30mph zone and sight lines are reasonable in both directions from the existing access point. Space exists within the site to enter and leave in a forward gear. A single dwelling is unlikely to result in congestion or conditions detrimental to highway safety and amenity in my opinion.

4.3.16 Environmental Implications

The proposed dwelling will need to incorporate an EV charging point in order to address emissions. The site is not part of an ecologically sensitive area. The Potton range of dwellings are produced by Kingspan and are known to have high levels of insulation and thermal efficiency which will also reduce carbon emissions. Overall the proposal will not have any significant impact on the environment.

4.4 Conclusion

- 4.4.1 In view of the above analysis I conclude that residential development on the application site is acceptable in principle, that there would be no conflict with Green Belt policy nor would there be harm to the character and appearance of the area or harm to neighbouring properties. The development will not have any adverse impact on highway safety and the proposal would will have regard to the three dimensions of sustainable development identified in section 2 of the NPPF.

4.5 Alternative Options

- 4.5.1 None applicable

4.6 Pre-Commencement Conditions

- 4.6.1 I can confirm that the applicant is in agreement with the pre-commencement conditions that are proposed.

5.0 **Recommendation**

5.1 That planning permission be **GRANTED** subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. 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.

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

Reason: Given the nature of this development, the Local Planning Authority considers that development which would normally be "permitted development" should be retained within planning control in the interests of the character and amenities of the area.

4. Prior to the commencement of the relevant phase of works, full details of the landscaping for the site including hard and soft landscaping works and all boundary treatment, (including any walls or fencing) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure that the completed landscaping is satisfactory.

5. No development shall commence until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. This is particularly important for adjoining highway "Stevenage Road"

Details submitted in respect of the CTMP, incorporated on a plan, shall provide for wheel cleaning facilities during the demolition, excavation, site preparation and construction stages of the development. The CMP shall also include details of the means of recycling materials, the provision of parking facilities for contractors during all stages of the development (excavation, site preparation and construction) and the provision of a means of storage and/or delivery for all plant, site huts, site facilities and materials.

Reason: In order to protect highway safety and the amenity of other users of the

public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

6. Prior to the first occupation of the development hereby permitted a visibility splay measuring 2.4 x 43 metres in both directions of Stevenage Road as shown the drawing (Ref-19/040/101, Rev-C) shall be provided and such splays shall always thereafter be maintained free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.
Reason: To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).
7. Any access gates provided shall be hung to open inwards, set back, and thereafter retained a minimum distance of 5.5 metres from the near channel edge of the adjacent carriageway.
Reason: To enable vehicles to safely draw off the highway before whilst the gates are being opened and/or closed.
8. Prior to occupation, the development shall incorporate one Electric Vehicle (EV) ready domestic charging point.
Reason: To contribute to the objective of providing a sustainable transport network and to provide the necessary infrastructure to help off-set the adverse impact of the operational phase of the development on local air quality.
9. (a) No development approved by this permission shall be commenced prior to the submission to, and agreement of the Local Planning Authority of a written preliminary environmental risk assessment (Phase I) report containing a Conceptual Site Model that indicates sources, pathways and receptors. It should identify the current and past land uses of this site (and adjacent sites) with view to determining the presence of contamination likely to be harmful to human health and the built and natural environment.
(b) If the Local Planning Authority is of the opinion that the report which discharges condition (a), above, indicates a reasonable likelihood of harmful contamination then no development approved by this permission shall be commenced until a Site Investigation (Phase II environmental risk assessment) report has been submitted to and approved by the Local Planning Authority which includes:
(i) A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;
(ii) The results from the application of an appropriate risk assessment methodology

(c) No development approved by this permission (other than that necessary for the discharge of this condition) shall be commenced until a Remediation Method Statement report; if required as a result of (b), above; has been submitted to and approved by the Local Planning Authority.

(d) This site shall not be occupied, or brought into use, until:
(i) All works which form part of the Remediation Method Statement report pursuant to the discharge of condition (c) above have been fully completed and if required a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme.
(ii) A Remediation Verification Report confirming that the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority.

(e) Any contamination, other than that reported by virtue of condition (a) and (b),

encountered during the development of this site shall be brought to the attention of the Local Planning Authority as soon as practically possible; a scheme to render this contamination harmless shall be submitted to and agreed by, the Local Planning Authority and subsequently fully implemented prior to the occupation of this site.

Reason: To ensure that any contamination affecting the site is dealt with in a manner that safeguards human health, the built and natural environment and controlled waters.

Proactive Statement:

Planning permission has been granted for this proposal. The Council acted proactively through early engagement with the applicant at the pre-application stage which led to improvements to the scheme. The Council has therefore acted proactively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Informative/s:

Environmental Informative

1) EV Charging Point Specification:

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

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

- o A separate dedicated circuit protected by an RBCO should be provided from the main distribution board, to a suitably enclosed termination point within a garage or an accessible enclosed termination point for future connection to an external charge point.
- o The electrical circuit shall comply with the Electrical requirements of BS7671: 2008 as well as conform to the IET code of practice on Electric Vehicle Charging Equipment installation 2012 ISBN 978-1-84919-515-7 (PDF). This includes requirements such as ensuring the Charging Equipment integral protective device shall be at least Type A RCD (required to comply with BS EN 61851 Mode 3 charging).
- o If installed in a garage all conductive surfaces should be protected by supplementary protective equipotential bonding. For vehicle connecting points installed such that the vehicle can only be charged within the building, e.g. in a garage with a (non-extended) tethered lead, the PME earth may be used. For external installations the risk assessment outlined in the IET code of practice must be adopted, and may require additional earth stake or mat for the EV charging circuit. This should be installed as part of the EV ready installation to avoid significant on cost later.
- o A list of authorised installers (for the Government's Electric Vehicle Homecharge Scheme) can be found at <https://www.gov.uk/government/organisations/office-for-low-emission-vehicles>

2) Reasons Why The Condition is Relevant and Reasonable:

- o Paragraphs 170 (e), 181 of the NPPF, which refer to the effects (including cumulative effects) of pollution (including air pollution) on health, the natural

environment (including air quality).

- o Paragraphs 102 (d), 105 (e) and 110 (e) of the NPPF, which refer to the need to promote sustainable transport including the provision for charging plug-in and other ultra low emission vehicles'.

- o HCC Local Transport Plan (LTP4) 2018-2031 which includes an objective to 'preserve the character and quality of the Hertfordshire environment' and 'make journeys and their impact safer and healthier', as well as its Emissions Reduction Policy 19.

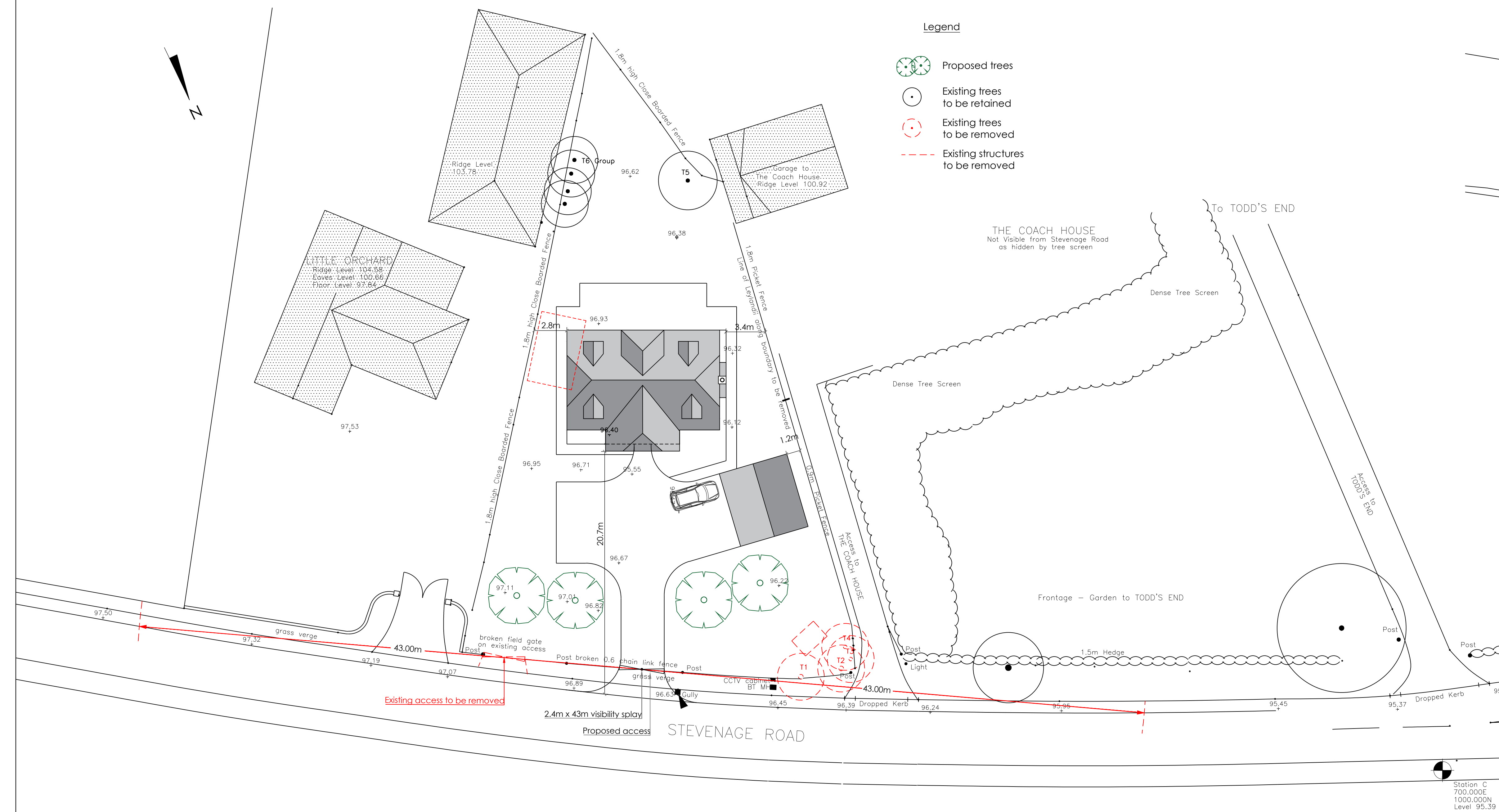
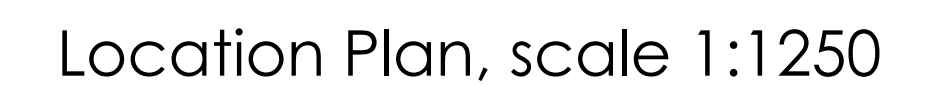
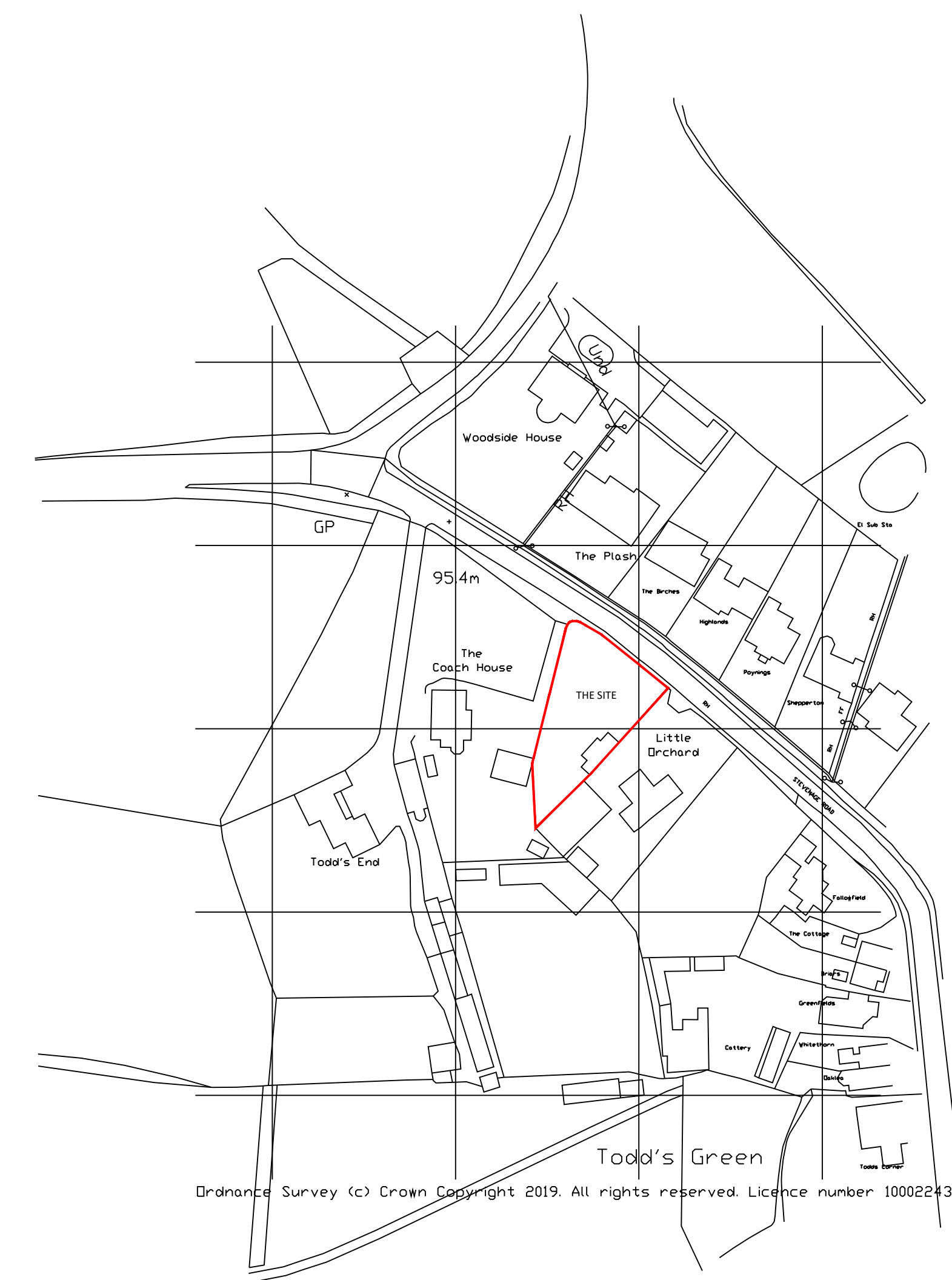
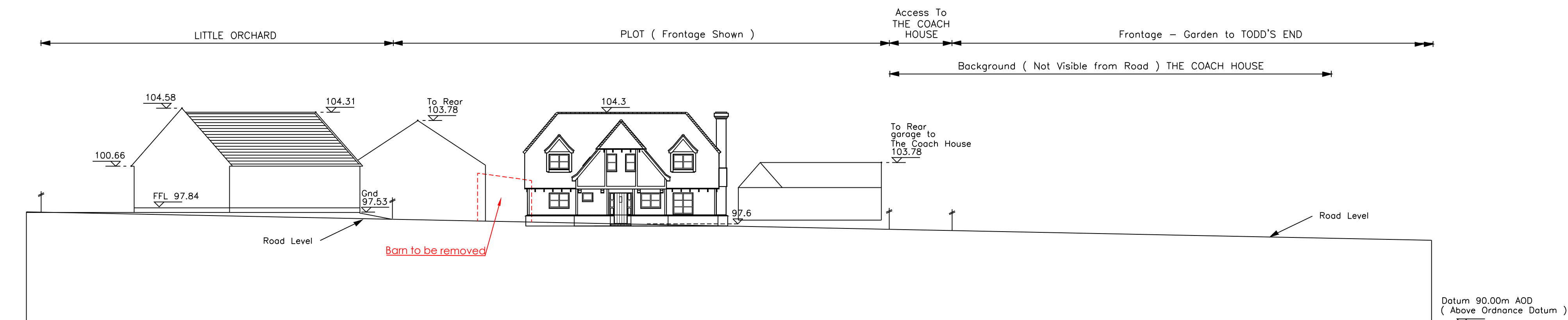
- o It is consistent with the approach specified in the NHDC Air Quality Planning Guidance Document, which is referenced within the current consultation version of the Local Plan.

Highway Informatives:

Advisory Note (AN1): Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047

Advisory Note (AN2): Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047

Signed  Richard Tiffin Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 18 October 2019	



Proposed Block Plan, scale 1:200

C	08/08/19	AS	Patio amended and Location Plan added.
B	01/08/19	AS	Dwelling & garage moved back. Access amended.
A	15/07/19	AS	Dwelling & garage moved closer to the southern boundary
REV	DATE	BY	DESCRIPTION/NOTES
Suite 2, Clare Hall, St Ives Business Park, Parsons Green, St Ives, Camps, PE27 4WY 			
© COPYRIGHT Tel: 01480 494668 Email: enquiries@planningandarchitecture.co.uk Web: www.planningandarchitecture.co.uk			
PARTNERS IN PLANNING AND ARCHITECTURE			
PROJECT			
Erection of a new dwelling & garage Land between Little Orchard & The Coach House Stevenage Road, Todds Green, Herts			
CLIENT			
Mr Smyth			
DRAWING TITLE			
Proposed Block Plan, Location Plan and Street Scene			
DRAWN BY		SCALE	
AS		1:200 @ A1	
DATE	DWG. No.	REV.	
15/07/19	19/040/101	C	



APPENDIX 3: Delegated Report Application Ref. 22/00311/FP

DELEGATED FILE NOTE

CASE OFFICER: ...Andrew Hunter.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
22/00311/FP	Erection of one detached 4-bed dwelling and detached double garage. Creation of vehicular access off Stevenage Road (as amended by plans received 18/02/22)	Land Between Little Orchard And The Coach House Todds Green Stevenage Hertfordshire

Submitted Plan Nos

2022/03/03 2022/03/01A 2022/03/02A

1.0 Policies

LP2 Green Belt

LP3	Settlements within the Green Belt
LP55	Car Parking Standards
LP57	Residential Guidelines and Standards
SECN12	Achieving well-designed places
SECN13	Protecting Green Belt Land
SECN9	Promoting sustainable transport
XD1	Sustainable Design
XD3	Protecting Living Conditions
XD4	Air Quality
XSP5	Countryside and Green Belt
XSP6	Sustainable Transport
XSP9	Design and Sustainability
XT1	Assessment of Transport Matters

Wymondley Neighbourhood Plan

Policies NHE2, NHE5, NHE8, GB1, FR1, HOD1, HOD2, HOD3

2.0 Relevant site history

- 2.1 19/01925/FP - Erection of one detached 4-bed dwelling and detached double garage following demolition of existing barn. Creation of vehicular access off Stevenage Road – Approved 18/10/19.
- 2.2 02/00825/1 - Detached dwelling (outline application - details of design, external appearance and landscaping reserved) – Refused 16/07/02 for:
1. The proposed dwelling would be likely to adversely affect the visual amenities of the street scene by reason of its height and scale. In addition, the proposed double garage would similarly be likely to affect the visual amenities of the street scene by reason of its position and likely height.
 2. The application site is within an area shown in the Hertfordshire County Structure Plan Review 1991-2011 and the North Hertfordshire District Local Plan No 2 with Alterations as Green Belt. Within that area there is a presumption against inappropriate development as that proposed unless very special circumstances can be demonstrated to justify the grant of planning permission. In the view of the Local Planning Authority the proposal is not supported by such circumstances.
- Appeal dismissed 06/11/02.
- 2.3 94/01339/1 - Detached dwelling and double garage – Refused 23/09/95.
- Appeal dismissed.
- 2.4 80/01013/1 - Outline application for erection of two dwellings and garages fronting Stevenage Road with vehicular access there from – Refused 17/07/80.

3.0 Representations

- 3.1 **Neighbours** – The following comments were received from The Coach House:
- ☐ Not objecting to a dwelling as per the approved plans.
 - ☐ The dwelling now proposed would be substantially larger.
 - ☐ Oversized for the site.
 - ☐ Could be considered bad design and inappropriate development.
 - ☐ Is there a minimum distance the garage should be from the boundary.
 - ☐ Overlooking from the garage.
 - ☐ The boundary on the plan does not reflect the actual boundary.
 - ☐ The boundary on the Coach House garage appears to be the garage wall on the submitted plan, this is incorrect.
 - ☐ Overlooking.
 - ☐ Excessive light.
 - ☐ Assume the proposed laurel hedge will cause no maintenance issues.

- ☐ Significantly affect outlook and block light.
- ☐ Have had clarification from the developer, but still have some concerns.

3.2 **Parish Council** - The Council resolved to submit a comment of "Objection" to this application at last night's Parish Council meeting on the grounds the proposed development amounts to overdevelopment of the plot and will result in overlooking of existing neighbouring properties.

3.3 **Env Health (Air Quality)** – No objection.

3.4 **Hertfordshire County Council highways** – Does not wish to restrict the grant of permission.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The site is a triangular area of undeveloped land that has been cleared of its vegetation, and has 1.8m high fences on most of its side boundaries. Ground levels rise gently towards the rear of the site. The site is adjacent to two dwellings, and its front boundary is on Stevenage Road.

4.1.2 The locality has a residential character, with detached dwellings nearby. The site is in the Green Belt in the adopted and emerging Local Plans.

4.2 **Proposal**

4.2.1 The erection of a detached four bedroom dwelling with a pitched and flat roof, and a detached triple garage with a pitched roof (including first floor gym). The dwelling would be towards the middle of the site, and the garage at the front. A new vehicular access would be created onto Stevenage Road, with gates and a wall erected along the front of the site. The site would have new hard and soft landscaping.

4.3 **Key Issues**

4.3.1 The key material considerations are whether the development is acceptable in principle, character and appearance, neighbour amenity, future living conditions, and highways and parking.

Principle

4.3.2 The site is in the Green Belt. Policy 2 of the adopted Local Plan states that planning permission will only be granted for new buildings and extensions which are appropriate in the Green Belt, and which would not result in significant visual impact.

4.3.3 Policy 30 of the adopted Local Plan states that the Council will normally refuse proposals for the replacement of dwellings in the countryside if a materially greater impact would result, of which materially greater is not defined. It is considered that the principle of the policy is relevant as it seeks to avoid a materially greater impact than the existing dwelling.

4.3.4 The adopted Local Plan dates from 1996 with relevant Policies saved in 2007, therefore the adopted Plan is relatively old and out of date in some respects to the NPPF. Policies 2 and 30 do however aim to ensure that development maintains the

openness of the Green Belt, and are given significant weight as they are consistent with the aims of the NPPF section 13 Protecting Green Belt land.

- 4.3.5 The emerging Local Plan (ELP) is at an advanced stage towards adoption, having progressed beyond Further Modifications. The policies in the ELP at its Further Modifications stage with respect to the Green Belt are also given significant weight due to their stage towards adoption and consistency with the NPPF Green Belt policy.
- 4.3.6 Policy SP5 of the ELP states that the Council 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. Policy SP5 refers to the 2019 National Planning Policy Framework (NPPF) which sets out exceptions to inappropriate development in the Green Belt in paragraphs 149 and 150. Part e) of 149 states *limited infilling in villages* is not inappropriate
- 4.3.7 Previous planning application 19/01925/FP considered that the dwelling approved by that permission was acceptable in principle as the site was within a village, and that the development was limited infilling. A relatively small amount of time has passed since that decision with no material changes to relevant Green Belt policies in the NPPF, therefore I consider the proposal remains as limited infilling in a village, and is not inappropriate development. The proposal is not therefore considered inappropriate in the Green Belt.

Character and appearance

- 4.3.8 There are no objections to developing the site to residential with a single dwelling and separate garage, given the 2019 permission and the residential character of the locality including dwellings on either side of the site.
- 4.3.9 The proposed dwelling would measure approx. 8.7m in height to its ridge, 5.2m to its eaves, 14.5m in depth, and 14.6m in width. The garage would measure 6.2m in height to its ridge, 2.5m to its eaves, 6.9m in depth, and 8.9m in width. The dwelling would be approx. a minimum 2.7m from the west boundary with The Coach House, and 2.8m from the SE boundary with Little Orchard. The dwelling would be 23.8m from the rear of the site, and 16m from the front of the site. The garage would be essentially on the boundary with The Coach House, and approx. a minimum of 5.8m from the front of the site.
- 4.3.10 The dwelling approved by the 2019 permission was 7.8m in height, 9.5m in depth and 12.5m in width. That dwelling was proposed to be 20m from the front boundary, 3.4m minimum from The Coach House, 2.8m minimum from Little Orchard, and 25m from the rear. The 2019 dwelling included a detached double garage 4.8m in height, 5.7m in depth, 6.1m in width, 1.2m from The Coach House, and 13m from the front of the site.
- 4.3.11 The dwelling and garage now proposed would be larger than the approved 2019 dwelling and garage. The key differences of the proposed dwelling are:
- ☐ 0.9m higher ridge.
 - ☐ All eaves are at two storey level.
 - ☐ 5m greater depth.
 - ☐ 2.5m greater width.
 - ☐ 0.7m closer to The Coach House.
 - ☐ 1.2m closer to the rear boundary.
 - ☐ 4m closer to the front boundary.

- ☐ Fully two storey (with additional second floor roof accommodation), with a flat crown roof.

The key differences of the proposed garage compared to the approved are:

- ☐ 1.4m higher ridge.
- ☐ 1.2m greater depth.
- ☐ 2.8m greater width.
- ☐ A triple garage compared to the previous double.
- ☐ Roof accommodation to provide a gym.
- ☐ Two front dormers and a side staircase.

- 4.3.12 Overall, the dwelling and garage now proposed would be larger than that approved by 2019 permission 19/01925/FP, would be more visually prominent, and would occupy more of the site. The dwelling now proposed would also include an almost fully-glazed front gable, whereas the 2019 dwelling has more restrained fenestration.
- 4.3.13 The approved 2019 dwelling was considered to compare favourably to other nearby dwellings, which are predominantly two storeys (excluding Little Orchard which is a chalet bungalow). Little Orchard is approx. 7.1m high, whereas the dwelling now proposed would be 1.6m higher at 8.7m, and would clearly appear higher due to its siting close to Little Orchard. The Coach House to the west is considered to be approx. 7.5m high, although the differences in height would be less apparent than with Little Orchard as The Coach House is further back and at an oblique angle.
- 4.3.14 Other nearby dwellings are two storeys, mostly of similar heights that are considered to be between 7.5m to 8m. An exception is a new dwelling nearing completion on the east side of Little Orchard, which is approx. 8.3m high. A little further along Stevenage Road to the east are five dwellings that are each approx. 9.3m high, with the closest of these dwellings Thornboro visible from outside the application site from Stevenage Road. Given that the proposed dwelling would be similar in height to the dwelling east of Little Orchard, and lower than some other nearby dwellings, I consider the height of the proposed dwelling acceptable.
- 4.3.15 Turning to other aspects of the dwelling, I consider its footprint, width and depth comparable to other dwellings in the locality. The flat crown roof would be relatively large, however it would be comparable to that of nearby dwelling Woodside on the other side of Stevenage Road to the north. The distance of the dwelling from its boundaries would be considered to avoid appearing cramped within the site. The dwelling would be slightly closer to the highway than Little Orchard but further back than other dwellings to the east, therefore its siting with respect to building lines is considered acceptable.
- 4.3.16 The dwelling would be of a more contemporary design and appearance, which is considered acceptable given that dwellings nearby are a mix of styles and materials, including some of a similar contemporary appearance. The almost wholly-glazed front gable would be a fairly prominent feature, however I consider this glazing would not be that dissimilar to the central column of glazing of approved dwelling 18/02269/FP adjacent to the east of Little Orchard, and is not considered harmful. There are no objections to the detailing and external materials. The main dwelling is considered acceptable.
- 4.3.17 The re-landscaping of the site is considered to be of an acceptable quality, with an appropriate balance of hard and soft landscaping. Details of species and the planting plan are considered acceptable. The wall and gates proposed at the front of the site

would be similar to those of Little Orchard and The Birches nearby, and are considered acceptable.

- 4.3.18 The proposal also includes a triple garage, which I consider would be subordinate to the main proposed dwelling and of a size, siting and design in keeping with that dwelling. The garage would be close to the front of the site and the public highway at approx. 5.8m, although it's proposed orientation and some screening from trees/vegetation to the west would limit its impacts. The garage would be closer to Stevenage Road than both next door dwellings and the dwellings opposite, however it would be comparable in distance and visual impacts to dwelling Fallowfield a short distance to the east and those further south from Fallowfield. I do not consider therefore for the reasons above that the proposed garage would be harmful to the character and appearance of the locality, while the 2019 permission on the site also included a garage forwards of that dwelling and Little Orchard. For all of the above reasons I consider the proposal acceptable.

Neighbour amenity

- 4.3.19 There are only two dwellings that could be affected by the development, which are The Coach House to the west, and Little Orchard to the south-east – both dwellings share a boundary with the site.
- 4.3.20 Starting with The Coach House, this was the one nearby dwelling that submitted comments in relation to the application, raising some concerns among them. The parts of the curtilage of The Coach House closest to the site and proposed dwelling and garage are a driveway, parking area and garage. The main dwelling The Coach House is on the west side of its plot, and is considered sufficiently far from the proposed dwelling and garage that they would not appear overbearing or result in loss of light. I accept that the proposed dwelling would change the outlook and views from the front of The Coach House, however due to the distances between them and their sitings, I do not consider these impacts harmful.
- 4.3.21 The proposed garage would be close to the entrance driveway of The Coach House, however it wouldn't directly obstruct it. Views of the garage, and views from the external stairs, would be substantially blocked by vegetation within the curtilage of The Coach House, therefore I do not consider it would be harmful to amenity.
- 4.3.22 The distance from the upper floor rear windows of the dwelling to the rear boundary of the site with The Coach House would be a minimum of approx. 13.6m. This would be close to the guideline 15m figure implied by Policy 57 Guideline 7 of the adopted Local Plan to provide adequate privacy, and is considered acceptable. The dwelling would include one first floor side window facing towards The Coach House, however it would serve a bathroom and is proposed to be obscure glazed, therefore I do not consider it harmful to amenity. The siting of the dwelling now proposed is not considered significantly different to that of the 2019 approved dwelling. For the reasons above I do not consider that loss of amenity will be caused to The Coach House.
- 4.3.23 Turning to the other closest dwelling Little Orchard, the garage proposed at the front of the site would be sufficiently far away to avoid causing any loss of amenity to that dwelling.
- 4.3.24 The impacts of the main proposed dwelling on Little Orchard are considered similar to those of the 2019 dwelling previously approved on the site, as the siting's and visual impacts of both are considered similar. The dwelling would be adjacent to a driveway and parking area of Little Orchard, and would not appear overbearing or result in loss

of light to the front and rear elevations and gardens of that dwelling. The first floor side window facing Little Orchard can be required by condition to be obscure glazed, preventing loss of privacy. Impacts on residential amenity are considered acceptable.

Future living conditions

- 4.3.25 The main habitable rooms proposed are considered to be of an acceptable size and quality, and would receive adequate outlook, light and privacy. The garden areas would provide sufficient amenity space. Occupants would not be adversely affected by other nearby properties. Future living conditions are acceptable.

Parking and highways

- 4.3.26 The site will have parking provision for at least three cars exceeding the minimum requirement of two spaces, therefore parking is acceptable. The site will have sufficient cycle parking provision. The County Council highways officer has not objected to the proposed new vehicular access and gates, therefore these and impacts on the public highway are considered acceptable.

Climate change mitigation

- 4.3.27 The proposed replacement dwelling would include solar panels, which will contribute towards reducing carbon emissions. An Electric Vehicle domestic charging point condition for the dwelling would also encourage the use of more sustainable transport if permission was to be granted.

4.4 **Balance and Conclusion**

- 4.4.1 The LPA is not able to demonstrate a five year housing land supply. The tilted balance set out in paragraph 11 of the NPPF is engaged. This requires granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
- 4.4.2 It is not considered that there would be adverse impacts, however there would be some limited benefits from the provision of one new dwelling. In the absence of material planning reasons to the contrary it is my view that planning permission is **GRANTED**.

5.0 **Recommendation**

- 5.1 That planning permission be **GRANTED** subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. 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.

3. Prior to occupation, the proposed dwelling shall incorporate an Electric Vehicle (EV) ready domestic charging point.

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

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.

5. Any contamination encountered during the development of this site shall be brought to the attention of the Local Planning Authority as soon as practically possible; a scheme to render this contamination harmless shall be submitted to and agreed by the Local Planning Authority, and subsequently fully implemented prior to the occupation of the dwelling.

Reason: To ensure that any contamination affecting the site is dealt with in a manner that safeguards human health, the built and natural environment and controlled waters.

6. The development shall be completed in accordance with the Energy Conservation measures set out in the Planning, Design and Access Statement, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To minimise carbon emissions in the interests of the environment and climate change.

7. Prior to the first occupation of the development hereby permitted a visibility splay measuring 2.4 metres x 43 metres shall be provided to each side of the access where it meets the highway and such splays shall always thereafter be maintained free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

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

8. Prior to the first occupation of the development hereby permitted the vehicular access shall be provided and thereafter retained at the position shown on the approved drawing number A1 to the current specification of Hertfordshire County Council and to the local Planning Authority's satisfaction. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not

discharge from or onto the highway carriageway.

Reason: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan.

9. The access gates provided shall be hung to open inwards, set back, and thereafter retained a minimum distance of 5.5 metres from the near channel edge of the adjacent carriageway.

Reason: To enable vehicles to safely draw off the highway before whilst the gates are being opened and/or closed.

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

Reason: Given the nature of this development, the Local Planning Authority considers that development which would normally be "permitted development" should be retained within planning control in the interests of the character and amenities of the area.

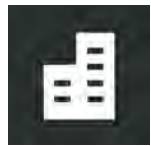
11. The first floor side elevation windows of the approved dwelling shall be obscure glazed.

Reason: In the interests of privacy and amenity.

Proactive Statement:

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted proactively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Signed  Simon Ellis Determining Officer	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Date: 4 April 2022	



APPENDIX 4: Delegated Report Application Ref. 24/00196/OP

Application No : 24/00196/OP

Location : Land To The South Of Chantry Farm, Old Chantry Lane

Proposal : Outline application for erection of up to 5 dwellings (all matters reserved)

Drawing Nos.: 23118-0000-P1; 23118-0001-P1; 23118-1101-P1; 23118-1102-P1; 23118-1103-P1; 23118-1104-P1; 23118-1105-P1; 23118-1301-P1; 23118-1300-P1; 23118-1302-P1; 23118-1310-P1; 23208-100-P2; 23208-101-P2; ASC.23.649; 23118-1001-P3; 23118-2400-P1;

Applicant : Mr Richard Lines

Agent: Mr Grant Cameron

Date Valid: 15 March 2024

Recommendation: GRANT OF OUTLINE PLANNING PERMISSION

SITE HISTORY

None

RELEVANT POLICIES

A revised National Planning Policy Framework (NPPF) was published in December 2023. This made significant changes to the September 2023 version and revised policy with respect to the following:

- maintaining supply and delivery of housing.
- making effective use of land with the allowance of mansard roof extensions to suitable properties.
- significant uplift in the average density of residential development can be seen as being inappropriate if the built form is out of character.
- strengthening policies around achieving well-designed and beautiful places.
- requirement for councils to prepare Local Design Codes.
- no longer a requirement to review or change Green Belt boundaries when plans are being prepared or updated.
- local planning authorities should now give significant weight to the need to support energy efficiency and low carbon heating improvements to existing buildings, both domestic and non-domestic.
- change to policies on Biodiversity.

The NPPF provides that proposals which accord with an up-to-date development plan should be approved without delay (para.11) and that where a planning application conflicts with an up-to-date development plan, permission should not usually be granted (para.12). This indicates the weight which should be given to an up-to-date development plan, reflecting the requirements of section 38(6) of the 2004 Act.

Planning Practice Guidance

The Planning Practice Guidance (“PPG”) is an online resource containing guidance supplementing the NPPF. The PPG is a material consideration which should be taken into account in determining planning applications.

National Design Guide

The National Design Guide 2021 is Government guidance on the characteristics of well-designed places and demonstrates what good design means in practice. It has the same status as the PPG and should similarly be taken into account when determining planning applications.

The Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise. For Stevenage, the statutory development plan comprises the following documents:

- The Stevenage Borough Council Local Plan 2011-2031 (adopted 2019)
- The Hertfordshire Waste Core Strategy & Development Management Policies Development Plan Document 2011-2026 (adopted 2012)
- The Hertfordshire Waste Site Allocations Development Plan Document 2011-2026 (adopted 2014)
- The Hertfordshire Minerals Local Plan Review 2002-2016 (adopted 2007)

In order for a Local Plan to be effective, they need to be kept up-to-date. The NPPF states policies in local plans should be reviewed to assess whether they need updating at least once every 5 years. This is reflected under Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) which sets out local planning authorities must review local plans every 5 years from their adoption to ensure that policies remain relevant and effectively address the needs of the local community.

The Stevenage Borough Local Plan (2011 – 2031) was formally adopted by the Council on the 22nd May 2019. As of the 22nd May 2024, the adopted Local Plan is 5 years old and as such, is deemed to be out-of-date. This means that the policies contained in the local plan are deemed to have limited weight with greater weight applied to the framework of policies in the NPPF and associated PPG.

Local Plan Partial Review and Update

The council is currently carrying out a partial review and update of the local plan. On 5 July 2024, a schedule of proposed changes was published for the first stage of public consultation under regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). Paragraph 48 of the NPPF 2023 states that local planning authorities may give weight to relevant policies in emerging plans according to:

- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

Where there are emerging policies which are relevant to the application, these will be highlighted in the main body of this report.

DATE OF SITE VISIT: 4 April 2024

HAVE THERE BEEN BENEFICIAL NEGOTIATIONS

N/A

OBSERVATIONS RECEIVED

The application was publicised by way of neighbour letters, site notices and a press notice. A summary of the comments received follows below. This is not a verbatim copy and full details can be viewed on the Council's website.

Todds Green: Highlands; Woodside; The Birches;
14 Northfield Way, Wells-Next-The-Sea;
North East Herts Swift Group;
12 Gilders, Sawbridgeworth;

- Character of the Hamlet of Todds Green is being eroded by ever more housing developments;
- Hamlet is used as a rat-run for vehicle traffic;
- Loss of/impact on wildlife;
- Impacts on biodiversity;
- Noise and disruption
- Light pollution;
- This is not “limited infilling of a village location” and is therefore inappropriate development for a Green Belt;
- Loss of 150-year-old Oak trees is unacceptable;
- Only for financial gain of developer;
- Not in keeping with existing dwellings;
- Overlooking and loss of privacy;
- Overdevelopment of small plot;
- Failure to notify neighbours of application;
- Pond at the back of the site often floods;
- If permission is granted, then conditions should be used to secure integrated swift bricks;

CONSULTEE COMMENTS

The Wymondley Parish Council

We voted unanimously at our parish council meeting to object to the application on the grounds of inappropriate development in the Green Belt, increased pressure on local infrastructure, loss of trees and biodiversity, overdevelopment of the plot, not in keeping with appearance of neighbouring properties, and the development is too close to existing dwellings resulting in overlooking and loss of privacy.

SBC Arboricultural and Conservation Manager

Since there is a wooded area to the east of this site and many boundary trees, can I please ask for an Arboriculture Impact Assessment?

9th September 2024:

I have studied this application, inspected the site and can confirm that, in principle, I do not object to some development on this plot of land. However, I do have an objection to the removal of Oak tree T8. I would be happy to support a proposal which protects all four Oak trees to the front of the site. As far as I could see, the least disrupting vehicular route into the site seems to be between Oak trees T9 and T17.

HCC Highways as Highways Authority

Hertfordshire County Council as Highway Authority is no longer capacity-based authority. The Local Transport Plan 4(2018) makes it clear that the accommodating the needs of pedestrians, cyclists and public transport users comes ahead of accommodating the needs of the private motorcar. This is echoed in national planning policy, such as the NPPF (2021) paragraphs 110 – 112 (Now paras. 114-116 of the NPPF (2023)), the government’s new Design Code (2021) (Now the National Design Guide 2019), Decarbonising Transport (2020), the new Inclusive Mobility (2021), etc. It is also a response to the County Council declaring a climate emergency in 2019. The planning process seeks/provides the opportunity to improve safety and conditions by applying current higher standards of design, build and safety to developments, and not to retain and/or continue with past obsolete standards. Policies, guidance’s, and designs are not static, they are continually evolving to be commensurate with current thinking, technology, priorities, etc. which now give greater weighting to pedestrian and cyclist safety. If the position is that other dwellings have a substandard provision, then no improvements can ever be implemented.

This is a fundamentally unsustainable location. The probability that residents of the new dwellings would use bus services to access shops and other services is frankly unlikely, and as such the proposed new dwellings will inevitably be entirely car dependent. This goes totally against all current sustainable and accessible travel policy, and accessibility policies. Key references include paragraphs 110 - 112 of the NPPF, and our LTP4 policy 1.

HCC's Residential Dropped Kerb Policy states: The depth of your driveway/hardstanding must be a minimum of 5 metres. This is to ensure that there is enough space to prevent a vehicle from overhanging the pavement. The width of your driveway must be a minimum of 2.7 metres. For a new dropped kerb, you will get a maximum of 4 flat kerbs (3.6m). You will also get one or two ramped kerbs depending on your property. We will not install any more than 4 flat kerbs for a single property. A double dropped kerb which serves two properties will get 6 flat kerbs. Please do not apply for a dropped kerb wider than this as it will be refused. The new access road shown on drawing 1001 P2 width is acceptable. However, the access off Chantry Lane is too wide. For up to 5 dwellings a standard double dropped kerb would be adequate. The vehicle-to-vehicle inter-visibility would need to be provided. For a 30mph speed limit this would be 2.4 x 43. However, it likely a speed survey would be needed to demonstrate the 85th percentile due to the nature of the road.

CONCLUSION: It is likely the proposals would be refused based on the complete lack of sustainable access. However, the Highway Authority would be open to discuss sustainable discussion options the applicant may wish to present.

Affinity Water

No comments received.

Thames Water

No comments received.

DOES THE PROPOSAL CONFORM WITH DISTRICT PLAN POLICY: YES

OFFICERS APPRAISAL

Site Appraisal

The application site is a parcel of land in Todds Green located to the south of Chantry Farm with 2no. associated residential dwellings (The Lodge and Chantry Farm) and to the north of residential dwellings which are located on Stevenage Road. The land is currently used as a grazing field for horses and is bounded on all sides with mature hedgerows, shrubbery and trees. To the west of the land is the highway of Chantry Lane with stables and open land beyond, and to the east is an area of woodland known as Margaret's Wood. To the north beyond Chantry Farm is the former Courtlands Riding Stables which is currently being re-developed with 17no. detached aspirational dwellings, approved under planning permission reference number 21/00971/FPM.

Proposal

Outline application for the erection of up to 5 dwellings (all matters reserved).

The indicative site layout plan suggests that the dwellings could comprise 3no. four-bed, 1no. five-bed, and 1no. six-bed detached aspirational dwellings ranging from 180sqm to 318sqm of floorspace all with a rear garden of approximately 200sqm and 2no. off-street car parking spaces. The indicative floor plans suggest that each property would also have an attached double garage which could increase the off-street parking to 4 spaces each.

As this is an outline planning application with all matters reserved, only the principle of development is to be considered at this stage. Matters pertaining to access arrangements, parking provision, layout, appearance and landscaping are to be reserved for future consideration as part of a reserved matters application.

Land Use Policy Considerations

5-Year Land Supply and Housing Delivery Target (HDT)

Since November 2018, housing delivery has been measured against the Housing Delivery Test (HDT) as set out by the Government planning policy and guidance. The results of the HDT dictate whether a local planning authority should be subject to consequences to help increase their housing delivery. Where an authority's HDT score is less than 95%, the authority should prepare an action plan to assess the causes of under delivery and identify actions to increase

delivery in future years. Where an authority's HDT score is less than 85% of its housing requirement, the Council must incorporate a 20% buffer into its housing supply calculations in line with paragraph 79 of the NPPF. This will be in addition to the preparation of an Action Plan. Where an authority's score is below 75%, the Council will be subject to the HDT's most severe penalty and must apply the presumption in favour of sustainable development under paragraph 11d) of the NPPF. The latest HDT results published by the Department for Levelling Up, Housing and Communities (DLUHC) in December 2023 identifies that Stevenage delivered 57% of its housing requirement.

The Council, based on its HDT score is currently subject to the most severe penalty under paragraph 11(d) of the NPPF (2023). For reference, as this policy is now engaged, it means Local Plan policies would be classed as out-of-date. Consequently, Stevenage Borough Council must apply the presumption in favour of sustainable development in its decision making and give great weight towards the need to deliver housing. The Council must also apply a 20% buffer in its 5-year housing supply calculations, and it also has to produce an Action Plan in order to boost housing delivery.

On the 21st May 2024, the Council published its 5 Year Land Supply Update May 2024. This identifies that the Council can demonstrate a Housing Supply of **5.59 years** for the period 01 April 2024 to 31 March 2029, using the *Liverpool* methodology (spreads the delivery of historic undersupply of housing equally across the remainder of the Local Plan period) and guidance from the NPPF and Planning Practice Guidance. The 5-year land supply includes a 20% buffer.

The Council has also issued a Housing Delivery Action Plan May 2024. This provides an overview of housing delivery, analysis of barriers to delivery and actions necessary to increase the delivery of housing in the future. The action points specified in the Plan will be monitored on an annual basis to ensure delivery can be increased in order to meet the Council's target of 7,600 new homes over the Local Plan period.

Principle of Development in the Green Belt

National policy relating to Green Belt land is set out at chapter 13 of the NPPF. In summary, there is a presumption against the construction of new buildings within the Green Belt, which is to be considered as inappropriate development unless expressly exempted by paragraph 154. Inappropriate development should not be approved unless very special circumstances exist such that the harms arising from the proposal are clearly outweighed by other considerations.

Local Plan policies SP10 and GB1 define the spatial extent of the Green Belt within the Borough and state the Council's intention to determine relevant applications in accordance with national policy. Policy GB2 sets out specific criteria for residential development in and around Todd's Green.

The exceptions to inappropriate development established by paragraph 154 of the NPPF are as follows:

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 - not have a greater impact on the openness of the Green Belt than the existing development; or

- not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

Turning to the application site, it cannot be treated as previously developed land as per NPPF paragraph 154(g). This is because the site itself has to be treated as undeveloped agricultural.

However, it can be argued that the proposed could be classed as an 'exception' under paragraph 154(e) i.e. limited infilling in villages. For reference, the generally accepted definition of infilling is the infilling of a small gap in an otherwise built-up frontage. The application site itself lies between Chantry Farm located to the north which comprises a number of agricultural buildings, hardsurfacing and the farmhouse and immediately to the south, is bordered by a number of residential dwellings which front onto Stevenage Road. To the west, whilst separated by fields, lies a number of large agricultural barns.

More widely, just to the north of Chantry Farm, lies the former Courtlands Riding Stables which is currently being redeveloped for housing. For reference, the development at Courtlands was primarily justified on the basis of it constituting the redevelopment of previously developed land as per NPPF paragraph 154(g). It was also considered to fall within the village of Todd's Green, such that paragraph 154(e) also applied. Further to this, it also has to be acknowledged that the village itself has also been substantively extended to the south by the Franklin Park development, which is a residential development of 135 homes. Therefore, it too should be considered to fall within the village and with only five dwellings proposed, it would fall within the definition of "limited infilling".

In addition to the above, it has to be acknowledged that the paragraph 11(d) of the NPPF has been engaged, so this weighs in favour of the application, especially as it seeks to deliver new homes.

In light of the above, it is considered that the erection of 5no. new dwellings on the site, would be treated as limited infilling within the village of Todd's Green, in accordance with paragraph 154(e) of the NPPF. Consequently, the proposal would not be inappropriate development within the Green Belt.

Furthermore, 5no. new dwellings would appear to be consistent with Policy GB2 of the Local Plan. This says that proposals for small scale residential infilling will be permitted subject to the following criteria:

- a) The development is on previously developed land, or it does not create more than 5 additional dwellings;
- b) The development will be sympathetic to its surrounding environment (including the adjacent countryside) and will not negatively impact the character and appearance of the area;
- c) The development reflects surrounding properties in terms of size, scale and design; and,
- d) No features essential to the character of the area will be adversely affected.

Whilst there is a presumption in favour of sustainable development, this is balanced against the consideration of the proposal being inappropriate development in the Green Belt and whether it would comply with any of the defined exceptions to inappropriate development within the NPPF. As this report will go on to show, the development is considered to be compliant with Paragraph 154(e) and therefore there would be no requirement to demonstrate very special circumstances.

In this case, the site would not be considered previously developed land, but, the proposal would only be for five dwellings. They would be sympathetic to the surrounding environment, being of a traditional design and sited well within the plot which is well screened by vegetation. They would be of a similar size, and otherwise broadly consistent with, the prevailing form of surrounding residential development i.e., aspirational, detached houses on spacious plots.

As identified under Policy GB2 (Green Belt Settlements) it can be argued that the site falls within the "defined village of Todds Green" which is washed over by Green Belt. The supporting text to this policy states that there are exceptions to building in the Green Belt, which includes limited infilling in villages and the partial or complete redevelopment of brownfield sites. Furthermore, this supporting text identifies Todds Green as one of the broad locations where aspirational homes would be appropriate. Policy HO9 of the Local Plan (2019) states that aspirational houses are low density detached dwellings with four bedrooms and two bathrooms, sited on larger plots with a built footprint in excess of 100sqm and has a rear garden area of at least 200sqm. Whilst details of the layout of the site are reserved matters, the submitted indicative plans indicate that the dwellings appear to meet the requirements of size and garden size to be considered larger than standard housing and therefore would be aspirational.

Visual Impact on the Green Belt

The assessment now turns to the visual impact on Green Belt openness, with particular regard to the increased volume and impact on views through the site. Assessments of impact on Green Belt openness are a matter of planning judgement.

The land is currently open land, used as a grazing field for horses. The proposed dwellings would be sited around a new residential road, 2no. to the north, 2no. to the south, and 1no. to the east.

In terms of impact on views, currently the site is predominantly screened from public view from Chantry Lane by dense landscaping and the eastern boundary with the public right of way is also heavily landscaped with woodland beyond. Given the site is bounded by residential development to the north and south and woodland to the east, there are limited public views through and across the site.

The indicative street scene images included in the Design and Access Statement appear to show that the western boundary landscaping would be removed and as such the proposed dwellings would be highly visible from Chantry Lane. There is limited landscaping on the southern boundary with Stevenage Road dwellings and as such, these neighbouring properties will have virtually unobstructed views of the development.

Having duly considered the quantum of development and visual impact on openness, moderate harm has been identified. The visual impact on Green Belt openness from the public footpath and Chantry Lane is therefore the main point of concern.

As required by Paragraph 154(e) and Policy GB2 of the Local Plan, the development would not be inappropriate in the Green Belt when it would not cause substantial harm to the openness of the Green Belt. A lower level of harm is therefore acceptable.

Taking all the aforementioned into account, it is not considered that the impact on visual openness would result in substantial harm. Having regard for the aforementioned assessment of the proposal, the creation of five dwellings accords with the 5-dwelling quota under Policy GB2(a) and has therefore been found to be an acceptable level of infill development which will have a less than substantial impact on the Green Belt. Further it would assist the Council in meeting its housing targets.

Therefore, the development is considered to comply with exception 154(e) and Policy GB2 of the Local Plan and would be acceptable development within the Green Belt.

Assessment in accordance with the Council's Housing Policies

Turning to the adopted Local Plan (2019), the site is unallocated and is therefore, regarded as a 'windfall site'. Policy HO5 (windfall sites) stipulates that proposals should not prejudice the Council's ability to deliver residential development on allocated sites, do not overburden existing infrastructure and are on previously developed land or small underused urban sites.

As previously stated above, the siting of the proposed dwellings will be on open land and consequently it is considered that the development does not constitute development of previously developed, brownfield land. It is important to note that the Council is unable to meet

its Housing Delivery Test requirement under the NPPF as set out above and as such there is a presumption in favour of sustainable development towards the requirement to deliver additional housing where great weight must be given.

Residential developments on windfall sites must have a good level of access to local facilities. The site is approximately 1.5km to the Sainsbury's supermarket on Hitchin Road. Three secondary schools and two primary schools are within 2km of the site. The historic Old Town is within a 10-minute vehicle journey/35-minute walk and provides a host of facilities for future residents. At present there are no bus routes linking the village of Todds Green with Stevenage town centre, and the closest bus stop is over 1km away at the Lister Hospital. As such, the application site is considered to have a poor level of access to alternative forms of transport to the motor car and only a reasonable level of access to local facilities and education sites at this time. Therefore, the site is not considered to be in a highly sustainable location at the time of writing this report.

However, under planning permission reference number 19/00123/FPM (Land West of the A1(M) at Todds Green) which was approved in September 2020, the developer of that site agreed to a financial contribution in their legal agreement to provide a new bus stop at their development which would allow Arriva services 8 and 9 to extend into the outter Todds Green area. Whilst the exact location of the new bus stop is not presently known, it will be approximately 600m-800m from the application site which is considerably closer than the present closest stop at around 1km. As such, the site will become more sustainable as a result of this neighbouring development which is already well under way in terms of delivery.

Criterion (c) of Policy HO5 states that there should be no detrimental effect on the environment and the surrounding or adjoining properties. This issue will be assessed in detail in the following sections considering the impact on the character and appearance of the Green Belt and wider area and the impact on neighbouring amenity.

Finally, criterion (d) of Policy HO5 of the Local Plan requires proposals not to prejudice the Council's ability to deliver residential development on allocated sites. The site is not located near any allocated housing sites. In this regard, the development is not considered to be contrary to the aforementioned policy.

Policy SP2 (Sustainable Developments) states permission will only be granted where proposals can meet a number of criteria. Included in these criteria are the following:

- Deliver homes or jobs that make a positive contribution towards the targets in the Local Plan;
- Make good use of land and maximise opportunities for brownfield redevelopment within the town;
- Regenerate areas of the town that are under performing;
- Provide a mix of homes for all sectors of the community;
- Improve quality of life and make sure that residents share in the benefits of regeneration;
- Promote journeys by bus, train, bike and foot and reduce the need to travel;
- Make high quality buildings and spaces that respect and improve their surroundings;
- Produce places and spaces that enable people to live a healthy lifestyle; and
- Protect and improve important open spaces, wildlife sites and habitats.

Looking at the site itself in terms of its allocation in the Local Plan, it is an open piece of land within the Green Belt and not allocated for development. The proposed development is seeking to erect 3no. four-bed, 1no. five-bed, and 1no. six-bed detached dwellings with associated access road, car parking and landscaping.

The proposal fails to meet some of these aforementioned criterion of Policies HO5 and SP2 as the site is not located near to a bus route or the Stevenage train station; the main facilities and services of Stevenage are some distance away; and there are no primary facilities within the village of Todds Green so that future occupiers would likely travel into Stevenage via car.

However, under planning permission reference number 19/00123/FPM (Land West of the A1(M) at Todds Green) which was approved in September 2020, the developer of that site agreed to a financial contribution in their legal agreement to provide a new bus stop at their development which would allow Arriva services 8 and 9 to extend into the outer Todds Green area. Whilst the exact location of the new bus stop is not presently known, it will be approximately 600m-800m from the application site which is considerably closer than the present closest stop at around 1km.

Further, under planning permission reference number 21/009741/FPM (Former Courtlands Riding Stables) which was approved in January 2023, the developer of that site agreed to enter into a Section 278 Agreement with Herts County Council to provide a new public footpath along Chantry Lane which would pass along the frontage of the current application site and allow pedestrian access through to centre of Todds Green village and beyond.

There are two public Rights of Way close to the site – “Stevenage 086” connects Old Chantry Lane to the footpath on the northern side of Stevenage Road and also connects to “Stevenage 085” which borders the site to the south and connects to the large roundabout at Corey’s Mill/Junction 8 of the A1(M).

Accordingly, whilst the existing site could not generally be categorised as being in a sustainable location for non-car modes of transport at present, the improvements to be made with the new bus stop and public footpath to be provided by other nearby developments, it is considered, on balance, that the site will become more sustainable than at present and would therefore be acceptable in this regard.

The provision of five homes would assist in the meeting of the Local Plan housing targets. Policy SP7 identifies that there is a need to provide 7,600 new homes within Stevenage and this policy allocates 1,950 new homes to be provided elsewhere in the Borough. Taking this into consideration, the proposed development would support the Council’s ambition in delivering a number of homes which fall outside the designated sites. Setting aside the impact upon the character and appearance of the area and the amenities of the adjoining properties, which are considered elsewhere in this report, the application is considered, on balance, to be acceptable in land use policy terms.

In respect to Policy HO9 (House types and sizes) of the adopted Local Plan (2019), this seeks to provide a more even mix of housing supply with both smaller dwellings and larger aspirational dwellings. As the proposed development seeks to deliver larger aspirational 4, 5, and 6 bed detached dwellings it would accord with this policy.

Conclusion

In conclusion, whilst the proposal has been found to currently fail to accord with Policies HO5 and SP2 as it is not considered to currently be in a sustainable location for non-car modes of transport with adequate access to local facilities, the improvements to be made to pedestrian and cycle links and the proposed new bus stop at nearby developments would significantly improve this situation.

Further to the above and having account of everything discussed in the preceding paragraphs of this report, the proposal is not considered to amount to substantial harm to the Green Belt and is acceptable under Policy GB2 and would accord with Policies SP7 to deliver new housing, and HO9 to deliver larger aspirational housing. The proposed development of 5no. larger aspirational dwellings would make good use of the site. The development is considered an acceptable level of infilling of the village of Todds Green and very special circumstances do not need to be justified and the benefits of the development through construction jobs and future housing would outweigh the moderate harm to the Green Belt.

In addition to the aforementioned, the failure of the Council to meet its HDT and the subsequent presumption in favour of sustainable development is a key material consideration in the assessment of this application. This policy position tilts the planning balance in favour of the application. The provision of 5no. aspirational dwellings would have an economic benefit during the construction phase, and future occupiers would be likely to contribute to local services and

facilities, which, as the scheme is for 5 dwellings, these benefits would be fairly reasonable and further weigh in favour of the development.

Design and Visual Impact

National Planning Policy Framework and Planning Practice Guidance

Chapter 12. Achieving well-designed and beautiful places of the NPPF (2023) stipulates that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process. Where development is not well designed, permission should be refused.

The National Design Guide 2019, which was published by the Government, is a material consideration in the determination of planning applications. It states that buildings are an important component of places and proposals for built development are a focus of the development management system.

However, good design involves careful attention to other important components of places. These include:

- the context for places and buildings;
- hard and soft landscape;
- technical infrastructure – transport, utilities, services such as drainage; and
- social infrastructure – social, commercial, leisure uses and activities.

A well-designed place is unlikely to be achieved by focusing only on the appearance, materials and detailing of buildings. It comes about through making the right choices at all levels, including:

- the layout;
- the form and scale of buildings;
- their appearance;
- landscape;
- materials; and
- their detailing.

Development Plan

Whilst the policies contained in the local plan have limited weight, Policy SP8 generally reflects the requirements of the NPPF in that it requires new development to achieve the highest standards of design and sustainability. In addition, Policy GD1 generally requires all forms of development to meet a high standard of design which includes form of built development, elevational treatment and materials along with how the development would integrate with the urban fabric, its relationship between buildings, landscape design and relevant aspects of sustainable design.

In the emerging local plan partial review and update, criterion (e) is updated to refer to “unacceptable” adverse impacts. The intention behind the change is to make clear that in some circumstances, an adverse impact might still fall within acceptable bounds and that this is a matter of judgement for the decision maker. Having regard to paragraph 48 of the NPPF, this emerging version of the policy is afforded limited weight in the assessment of the application.

Policy GD2 is a new policy emerging from the local plan partial review and update. It states that proposals which demonstrate they have been designed to achieve a rating of excellent or higher against a relevant BREEAM standard and/or to achieve the BRE Home Quality Mark will be strongly supported. Having regard to paragraph 48 of the NPPF, this emerging version of the policy is afforded limited weight in the assessment of the application.

Supplementary Planning Document

Appendix C of the Stevenage Design Guide SPD 2023 provides guidance on extensions and alterations to dwellings. The Council will consider the impact upon the appearance of the existing property as well as the character and appearance of the area. In addition, the guide sets out that the extension should appear subservient to the original house; smaller in width, height and depth than the existing property, but still using the same scale and proportions.

Appendix C of the Design Guide SPD also stipulates that building features such as windows, roof pitches, overhangs, gables, chimneys should all be consistent with those of the existing property. If the roof of the main building is pitched, for example, then the extension should have a pitched roof, at the same angle. However, this does not mean that contemporary design will not be acceptable, providing it respects local character and does not detract from the original building.

Assessment

The indicative plans show 5no. large, detached dwellings arranged along a new residential road, accessed from Chantry Lane. Each property would have a private rear garden of approximately 200sqm which would wrap around the sides of each dwelling as well as being to the rear. Plot 1 is shown to face Chantry Lane whilst the remaining plots would face the new internal road. Plots 1 and 3 would have east facing rear gardens, plot 2 would have a north facing rear garden, and plots 4 and 5 would have south facing rear gardens.

Each property would have 2no. parking spaces, although it is noted that the indicative floor plans appear to show a double garage space for each dwelling resulting in 4no. off-street parking spaces.

The properties on Stevenage Road to the south of the site have large front curtilages, at least 13-15m deep. In contrast, plot 1 which faces Chantry Lane would be approximately 10m from the highway. Whilst this is smaller than the surrounding character, it is not considered to be so different as to be unacceptable.

Comments from local residents regarding the design, appearance and materials of the dwellings being out of keeping with the surrounding dwellings are noted but it must be noted that the submitted plans are indicative only and that final design, appearance and materials are reserved for future consideration. As such the current outline application could not be refused on this basis.

It is considered the indicative layout is acceptable and as such, it is concluded that the site could accommodate up to five detached, aspirational, dwellings without resulting in harm to the character and appearance of the area.

Impact on Neighbour Amenity

National Planning Policy Framework and Planning Practice Guidance

Paragraph 135 of the NPPF (2023) sets out that planning decision should ensure create places with a high standard of amenity for existing and future residents. Paragraph 124 of the National Design Guide states that “*Good design promotes quality of life for the occupants and users of buildings. This includes function – buildings should be easy to use. It also includes comfort, safety, security, amenity, privacy, accessibility and adaptability*”. Paragraph 126 of the National Design Guide also emphasises that “*well-designed homes and communal areas within buildings provide a good standard and quality of internal space. This includes room sizes, floor-to-ceiling heights, internal and external storage, sunlight, daylight and ventilation. The quality of internal space needs careful consideration in higher density developments, particularly for family accommodation, where access, privacy, daylight and external amenity space are also important*”.

Development Plan

Whilst the policies contained in the local plan have limited weight, Policies SP8 and GD1 of the Local Plan 2019 which generally reflect the good design principles outlined in the NPPF and National Design Guide, requires that development does not adversely impact the amenities of neighbouring occupiers.

Supplementary Planning Document

Appendix C of the Design Guide SPD states that the Council will assess proposals for residential extension in terms of their impacts on privacy, outlook, and natural light.

Assessment

As stated previously, detailed design and layout are reserved matters. However, an assessment of the likely impact on neighbouring properties will be undertaken to ascertain if up to five dwellings on this site would cause harm to neighbouring amenities.

The most affected properties would be the dwellings on Stevenage Road to the south of the application site, Woodside House on Chantry Lane to the south, and the two dwellings to the north at Chantry Farm.

In assessing the impact on neighbouring amenity, the Council's Design Guide SPD (2023) sets out standards which should be met to safeguard the privacy and outlook of adjoining properties from new development. In this regard, when assessing developments, the recommended separation distances are as follows:

No of Storeys	Type of Separation	Min. distance (metres)
Between existing and new 2 storey or a mix of 1 and 2 storey dwellings	Back to Back	25m
	Back to Side	15m
Between new 2 storeys or a mix of 1 and 2 storey	Back to Back	20m
	Back to side	12m
Over 2 storeys between existing and new dwellings	Back to Back	35m
	Back to Side	25m
Between new dwellings over 2 storeys in height	Back to Back	30m
	Back to Side	20m

Woodside House is accessed from Chantry Lane, is south of Plots 4 and 5 and has their front elevation facing the rear of said plots. Their front elevation is approximately 22m-24m from the rear elevations of these plots. There are no minimum separation distances for front-to-back separations in the design Guide and as such, this separation, which is very similar to the required minimum for back-to-back separations, is considered acceptable so as to not result in undue harm from overlooking and loss of privacy and daylight/sunlight.

The Plash is located on Stevenage Road to the south of the site and would be orientated back-to-back with plot 4. The separation is approximately 40m which greatly exceeds the required minimum separation distance in the Design Guide and is therefore considered acceptable so as to not result in undue harm from overlooking and loss of privacy and daylight/sunlight.

The Birches and Highlands are located on Stevenage Road to the south and would be orientated with their rear elevations facing the side of plot 3. Both properties are over 40m from the side of plot 3 which greatly exceeds the required minimum separation distance in the Design Guide and is therefore considered acceptable so as to not result in undue harm from overlooking and loss of privacy and daylight/sunlight.

Chantry Farm and The Lodge are located to the north of the application site and both properties are in excess of 40m from the site boundary which would put them both at an acceptable distance from plots 1 and 2 so as to not result in undue harm from overlooking and loss of privacy and daylight/sunlight.

Accordingly, the indicative layout is considered acceptable in this regard as the proposed dwellings would be suitably separated from the surrounding properties so as to not result in undue levels of harm from overlooking, loss of privacy, reduced daylight or sunlight.

Impact on Future Amenities of Occupiers

In considering a residential scheme of this nature it is also important to ensure that living conditions for any future occupiers are appropriate. Whilst layout is a matter for future

consideration, the proposed private amenity space as shown on the indicative layout plan will be assessed against the Council's Design Guide (2023) to confirm the site is capable of providing a satisfactory living environment for up to five dwellings.

The adopted Design Guide (2023) states that there is a requirement to provide 50sqm of private amenity space for each new dwelling with a minimum depth of 10m. The indicative site layout plan is annotated to advise that each plot would have at least 200sqm of garden space. However, only plot 3 has a depth of 10m; the remaining plots have depths varying between 5m and 8m off varying elevations. Whilst the minimum depths are not necessarily achieved, the overall size of the private amenity space is such that this failure is considered to be unacceptable in this instance as future occupiers would still have an acceptable private outdoor space which is of a sufficiently useable size.

With regard to the requirements for new residential properties to meet Nationally Described Space Standards (NDSS) as defined by Policy GD1 of the adopted Local Plan (2019), 4, 5 and 6 bed dwellings accommodating between 5 and 8 people should offer between 97sqm and 132sqm of gross internal floor area (GIA). Additionally, Policy HO9 of the adopted Local Plan (2019) states that aspirational detached dwellings should meet a minimum built footprint of 100sqm. All dwellings would achieve aspirational dwelling status:

Plot 1: 5-bed with a GIA of 204sqm
Plot 2: 4-bed with a GIA of 180sqm
Plot 3: 6-bed with a GIA of 318sqm
Plot 4: 4-bed with a GIA of 180sqm
Plot 5: 4-bed with a GIA of 180sqm

Additionally, the NDSS require double bedrooms to be at least 11.5sqm and single bedrooms to be at least 7.5sqm. All bedrooms shown on the indicative floor plans meet these requirements so are considered acceptable.

Parking Provision and Highway Implications

National Planning Policy Framework and Planning Practice Guidance

Chapter 9. Promoting Sustainable Transport of the NPPF (2023) sets out a requirement to consider transport issues, which includes parking, at the earliest stages of a development proposal. Paragraph 115 of the NPPF (2023) states "*Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*".

Taking this into consideration, paragraph 116 of the NPPF (2023) stipulates that applications for development should:

- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
- b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
- d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and
- e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible, and convenient locations.

Development Plan

Whilst the policies in the Local Plan have limited weight, Policy IT5 of the Local Plan requires development proposals to comply with the parking standards set out in the Stevenage Borough Council Parking Provision and Sustainable Transport SPD 2020.

Assessment

Access arrangements and parking provision are reserved for future consideration. However, an assessment of whether the indicative parking arrangements are acceptable will be undertaken.

Policy IT5 of the adopted Local Plan (2019) states that planning permission will be granted where proposals comply with the parking standards set out in the plan. The Council's Parking Provision and Sustainable Transport SPD (2020) requires 4+ bedrooms to have 3 spaces. The indicative layout plan shows each property can be served with two parking spaces of adequate size in the front curtilage. Each plot appears to be served with an attached garage however none of the garages meet the required internal space of at least 6m deep and 3m wide for a single garage or 6m by 6m for a double garage. This would need to be addressed at reserved matters stage and each plot has sufficient space to accommodate an enlarged garage to meet minimum standards.

Whilst the Council's minimum standards in the Adopted Parking Provision SPD (2020) are 2.4m wide and 4.8m deep for a parking space, Herts County Council as Highways Authority have recently adopted new standards of 2.7m wide and 5m deep which would need to be met in order to secure new dropped kerbs and access points. The indicative site layout suggests this could be met.

Turning to visitor parking provision, the Council's Parking Standards SPD (2021) sets out that there is a requirement to provide 0.25 visitor parking spaces per dwelling. This would equate to a requirement of 1 visitor parking space. The submitted indicative layout plan does not provide for visitor spaces. However, there appears to be sufficient space within the development that could provide this under future reserved matters submissions. In this regard, whilst the submitted plans do not provide reference to visitor parking, it is considered that the site offers sufficient space for it to be provided as part of a future reserved matters application without compromising the dedicated parking spaces or pedestrian movements around the site. This requirement can be secured by way of condition.

Herts County Council (HCC) as Highways Authority have assessed the application and have raised concerns over the unsustainable location of the site and the lack of pedestrian, cycle, and bus facilities within the village of Todds Green and linkages between the site and Stevenage.

At present it is acknowledged that the site is not considered to be in a highly sustainable location and therefore does not fully accord with the Local Plan policies in this regard. However, under planning permission reference number 19/00123/FPM, that developer entered into a section 106 legal agreement to provide a new bus stop outside their site which is approximately 800m from the site under consideration. Additionally, the developer of this nearby site has also agreed to enter a section 278 agreement of the Highways Act 1980 to provide a toucan crossing and footpath widening across the bridge in Fishers Green. These improvements will encourage a modal shift away from the private motor vehicle and increase the sustainability of the development.

It is noted that the Highways Authority raised concerns over the width of the access to the site, stating that it is too wide. An amended highways plan was received where the access width was reduced from approximately 17m to approximately 10m. The Highways Authority were re-consulted but no comments received. Given that access is a reserved matter, it is considered that this can be addressed at reserved matters stage. The Highway's Authority concern is that the access is too wide and not that it is in an acceptable location or not big enough and therefore it is not considered that the access poses a detrimental impact on highway safety such that it should warrant a refusal of this outline permission.

HCC Highways have stated that a Construction Management Plan should be submitted with any future reserved matters application and have also requested further consideration of large vehicle access to the site which would be considered when the reserved matters for access are submitted should this outline application be granted permission.

Cycle parking and electric vehicle charging would be reserved matters for future consideration. However, an assessment needs to be made to ensure they can be accommodated. In regard to cycle parking, the Council's Parking Standards SPD stipulates for this development, there is the requirement to provide 1 space per bedroom. The plot sizes and layouts are of sufficient size that secure cycle parking can be accommodated within the rear gardens without compromising the overall amenity of the rear gardens. Full details of the size and location would be a matter for the reserved matters application in future, but it is considered that the development would be acceptable in this regard.

Turning to electric vehicle parking, the Car Parking SPD (2020) now introduces a minimum requirement for electric vehicle parking. The requirements for new developments would need to abide by the following:-

- All new car parking should be designed to fulfil a Passive Electrical Vehicle Charging Point standard (providing the necessary underlying infrastructure);
- The blend of access to charging points provided within new developments;
- A minimum of 20% of new parking on a site to have access to an active EV charging point;
- A flexible approach to the requirement of charging facilities as technology changes.

Whilst no details are required as part of this outline application, it is considered that the proposed parking spaces could meet the aforementioned requirements. This would be requested as part of any future reserved matters application and secured via condition.

Impact on the Environment

The application site is open field that has never been previously developed. Therefore, there would be very low risk of contamination. Conditions can be imposed requiring a remediation strategy is submitted for approval in the event contaminants are identified during the construction phase of development.

The site is an area of groundwater sensitivity, being partly within Source Protection Zone 2 (SPZ 2). Therefore, it is recommended that the requirements of the NPPF and Planning Practice Guidance are followed. This means that all risks to ground water and surface waters from contamination need to be identified so that appropriate remedial action can be taken. Therefore, the applicant would be expected to prepare reports and risk assessments in line with the Environment Agency Guidance. In addition, as advised by the Environment Agency, in order to protect groundwater quality from further deterioration:

- No infiltration-based sustainable drainage systems should be constructed on land affected by contamination, as contaminants can remobilise and cause ground pollution;
- Piling, or any other foundation designs using penetrative methods, should not cause preferential pathways for contaminants to migrate to groundwater and cause pollution;
- Decommission of investigative boreholes to ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies, in line with paragraph 170 of the National Planning Policy Framework.

Neither Thames Water nor Affinity Water have provided any comments on the application. However, this can sufficiently be dealt with at reserved matters stage once final site layouts have been determined.

Air Quality

Policy FP7 of the adopted Local Plan (2019) states that all development proposals should minimise, and where possible, reduce air, water, light and noise pollution. Looking at air quality and air pollution specifically, The Air Quality Annual Status Report (ASR) 2019 by Stevenage Borough Council identifies that the development site is not located within or in close proximity to an Air Quality Management Area (AQMA).

In order to mitigate the construction phase, it is recommended a condition is imposed on any permission issued. This condition would require the applicant to adhere to the Construction Management Plan which details measures on controlling levels of dust and air pollutions which are generated during the construction phase of development.

With regards to the operational aspect of the development, due to its limited scale, the proposed development would give rise to a very small rise in NO₂ emissions which in accordance with IAQM/EPUK guidance is identified as having a negligible impact at all receptors in the area. As such, the need for additional mitigation has not been identified as being required.

Noise Pollution

With respect to noise, Policy FP8: Pollution Sensitive Uses stipulates that planning permission for pollution sensitive uses will be granted where they will not be subjected to unacceptably high levels of pollution exposure from either existing, or proposed pollution generating uses.

Dealing firstly with the impact of noise from the construction phase of the development, detailed measures will be required in the Construction Management Plan (CMP). Through the CMP the hours in which noisy activities take place are to be controlled along with the imposition of relevant mitigation measures being put in place to minimise the impact of noise from construction activities. Moreover, if a breach were to take place, the Council can enforce the condition accordingly.

With regards to noise which could arise during the operational phase of development, if any complaints arose regarding tenants who would be housed within the development, these would be dealt with by the Borough Council's Environmental Health department.

Light Pollution

In terms of light pollution, Policy FP7: Pollution of the adopted Local Plan (2019) requires all development proposals should minimise, where possible, light pollution. Applications for development where pollution is suspected must contain sufficient information for the application to make a full assessment on impacts. Planning permission will be granted where it can be demonstrated that the development will not have unacceptable impacts on:

- a. the natural environment, general amenity and the tranquillity of the wider area which includes light pollution;
- b. health and safety of the public; and
- c. The compliance with statutory environmental quality standards.

Turning to the operational side of the development, the applicant has not submitted a detailed lighting strategy. However, the dwellings would be sited away from the main highway and therefore any external lighting is not considered to prejudice highway safety or cause a substantive nuisance to neighbouring residential properties. Notwithstanding, details of external lighting can be dealt with at the reserved matters stage.

In terms of lighting associated with the construction aspect of the proposed development, this is dealt with as part of a Construction Management Plan.

Flood Risk and Drainage

The application is for minor development and the site is located wholly within Flood Zone 1, outside of any critical drainage area. As such, there is no policy requirement for a site-specific flood risk assessment to be carried out or for the scheme to incorporate SuDS. The flood risk associated with the development is considered to be negligible. Permeable paving should be used on all driveway areas within the development, which would assist in treating surface water prior to discharge whilst also providing attenuation. Comments from local residents regarding surface water flooding are noted, however, Thames Water have assessed the application and raised no concerns or objections in this regard, and given the quantum of development, the developer is not required to submit a flood risk assessment or sustainable drainage strategy.

It is considered the proposal would include appropriate surface and foul water drainage and would comply with Local Plan Policies SP11 and FP2.

Trees and Landscaping

Policy NH5 of the adopted Local Plan (2019) states that development proposals will be expected to protect and retain individual trees within the development site and should include new planting where appropriate.

Landscaping is a reserved matter for future consideration and as such full landscaping details and details of tree protection measures for the adjacent woodland and surrounding trees would be submitted as part of a future application.

Following discussions with the applicant's agent regarding biodiversity, an ecological appraisal, Arboricultural report and biodiversity metric were provided. The results of the biodiversity report resulted in an amended site layout plan being submitted in order that the mature Oak trees and more landscaping could be retained around the boundary.

The Council's Arboricultural Manager has assessed the updated site layout and Arboricultural Impact Assessment and has advised that he has no objections in principle to the development of the site. He has advised that he does object to the loss of Oak Tree labelled as T8 in the submission but would be happy to support a proposal that retains all four Oak trees on site. Accordingly, the indicative landscaping and layout is considered acceptable subject to a future landscaping and site layout reserved matters to ensure that site access and visibility could be achieved whilst retaining as much landscaping, and the Oak trees, as possible.

It is considered that there is sufficient scope within the site and along the site boundaries for suitable and adequate soft landscaping to be retained and/or achieved.

Ecology and Biodiversity

Ecological Appraisal

The submitted ecological appraisal comprised a desk top study from Hertfordshire Biological Records Centre and from the multi-agency Geographical Information for the Countryside (MAGIC) along with Ordnance Survey and Aerial imagery. A field survey was also undertaken along with a Bat Survey and Great Crested Newt Survey.

Trees on the site were assessed for potential to support roosting bats (following methods recommended by the Bat Conservation Trust (Collins, J. (ed), 2023)) and nesting birds, and habitats were assessed for their potential to support amphibians, reptiles, badgers and other protected species. The on-site pond in the south-east woodland patch was found to be essentially dry and unsuitable for great crested newts (GCNs) during the survey. A single offsite pond was partially accessed during the survey and a Habitat Suitability Index assessment was made in order to score the pond for its suitability to support great crested newts.

The report concluded that the site will not impact any statutory designated sites. The Site is located immediately adjacent to Margaret's Wood & Spoil Bank Wood, which is also an Ancient Woodland Site. The proposed development has potential to impact this site by direct and indirect disturbance. New residents could access the wood from the southern boundary of the Site and use it for recreational purposes. This could lead to noise disturbance and soil erosion. To prevent this occurring, it is recommended that the southern boundary be fenced with a strong, high fence, and that dense thorny scrub be planted immediately south of the new development. There is potential for artificial light spill onto the woodland edge from the new development. External lighting should be sensitively designed to prevent this from occurring.

Bats

No trees on site were found to contain evidence of roosting bats but could provide a resource for foraging and commuting.

Badgers

Some evidence that badgers were using a small area to the south of the site although no evidence of setts found on the site.

Birds

The habitats onsite provide some resources for nesting birds although the predominant habitat is neutral grassland which is not suitable for nesting birds.

Amphibians, Reptiles and Invertebrates

The only aquatic habitat on the Site, is an ephemerally dry pond within the south-east woodland patch. This was found to be almost completely dry, despite recent heavy rain, and shaded by surrounding woodland. It is considered to be currently unsuitable for supporting Great Crested Newts. The grass bank on the highway frontage could support reptiles, and habitats on site, namely trees, could support invertebrates. Recommended to undertake a search of the site prior to construction and to not create piles of vegetation and debris during construction to avoid creating new, temporary, habitats.

Biodiversity Net Gain

Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 sets out that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the 'biodiversity gain condition' requiring development to achieve a net gain of 10% of biodiversity value.

Based on the information available, this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because the following statutory exemption or transitional arrangement is considered to apply.

1. Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:
 - a) the application for planning permission was made before 2 April 2024;
 - b) planning permission is granted which has effect before 2 April 2024; or
 - c) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates was exempt by virtue of 3 (a) or (b).

Where the local planning authority considers that the permission falls within paragraph 19 of Schedule 7A to the Town and Country Planning Act 1990, the permission which has been granted has the effect of requiring or permitting the development to proceed in phases. The modifications in respect of the biodiversity gain condition which are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 apply.

Biodiversity gain plans are required to be submitted to, and approved by, the planning authority before development may be begun, and, if subject to phased development, before each phase of development may be begun.

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans. The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat. The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

The application was received on 14 March 2024. As such it was received after the Government's new mandatory Biodiversity Condition was introduced in February 2024. However, as part of the introduction of this new mandatory condition, there were transitional arrangements in place until 2 April 2024 for non-major applications. This application falls to be considered under the transitional arrangements as it was received prior to 2 April 2024. It should also be noted that when the new Legislation was introduced in February 2024, the

Council's Biodiversity SPD was considered to be superseded and could no longer be applied. Accordingly, the site is not subject to any biodiversity net gain arrangements.

Other Matters

Climate Change

Development Plan

Existing Policy FP1 of the adopted Local Plan (2019) stipulates that planning permission will be granted for development that can incorporate measures to address adaptation to climate change. New developments will be encouraged to include measures such as:

- Ways to ensure development is resilient to likely variations in temperature.
- Reducing water consumption to no more than 110 litres per person per day, including external water use.
- Improving energy performance of buildings.
- Reducing energy consumption through efficiency measures.
- Using or producing renewable or low carbon energy from a local source; and
- Contributing towards reducing flood risk through the use of SuDS or other appropriate measures.

The emerging local plan partial review and update contains a suite of new climate change policies (CC1 to CC8). These policies cover a much broader range of topics which are relevant to climate change and also make mandatory some of the measures that are currently only encouraged. Given that the emerging local plan is in the earliest stages of preparation, the extent of objections to the policies is as yet unclear, and their degree of consistency with the NPPF is likewise yet to be tested, emerging Policies CC1 to CC8 is only afforded limited weight in the assessment of this application.

Supplementary Planning Document

The Council's Design Guide SPD (2023) sets out additional requirements with respect to climate change. The guide states that all developments are required to make efforts to minimise energy usage and to incorporate methods of using renewable energy, including:-

- reducing energy demand;
- using passive environmental systems, e.g. natural ventilation;
- daylighting and passive solar gains;
- using high levels of insulation and air tightness in the fabric of the building;
- specifying energy efficient services, controls and appliances;
- implementing water recycling and the provision of water butts;
- using renewable energy;
- using low/zero carbon technologies to provide as much of the energy load as is technically and economically feasible, minimising use of fossil fuels; and
- using efficient fossil fuel technologies, such as Combined Heat and Power and condensing boilers.

Officer comment

No details have been provided with the application and therefore it is considered appropriate to impose a condition on any decision issued to secure the details.

Waste and Recycling

The Design Guide (2023) states, provision should be made within new development for the storage and collection of waste from a site. Layout is a reserved matter and as such details for the provision for general waste and recycling will be submitted under a future application. However, the indicative layout plan shows that all plots are of sufficient size to accommodate the required vessels and be within acceptable drag distances of the highway.

Community Infrastructure Levy

The Council adopted CIL on 1 April 2020 and the CIL Charging Schedule specifies a payment for new floorspace in line with the following rates (plus appropriate indexation):

Development Type	CIL Rate (£ per square meter)	
	Zone 1: Stevenage Central, Stevenage West Urban Extension and North of Stevenage Extension	Zone 2: Everywhere else
Residential		
Market housing	£40/m ²	£100/m ²
Sheltered housing	£100/m ²	
Extra care housing	£40/m ²	
Retail development	£60/m ²	
All other development	£0/m ²	

CIL is a non-negotiable charge. The exact charge will be determined by the Council's CIL officer after an application has been granted in accordance with the CIL Charging Schedule and the Community Infrastructure Levy Regulations 2010 (as amended). Opportunities for relief or exemption from the CIL charge exist and will be taken into account in the calculation of the final CIL charge.

CIL replaces the need for S106 agreements to specify financial and/or land contributions for non-site-specific infrastructure projects. This allows infrastructure to be planned on a borough-wide scale rather than on a site-by-site basis as mitigation against the impacts of individual proposals. A CIL Form 1: Additional Information has been submitted along with the application.

Conclusion

The policies considered to be most relevant for determining this application are mentioned throughout this response. These are all considered to be consistent with the most recent revision of the NPPF and are therefore considered to be up to date. The Council is required to apply the tilted balance by reason of its housing delivery position. Accordingly, Paragraph 11(d) of the NPPF is engaged and the subsequent presumption in favour of sustainable development is a key material consideration in the assessment of this application. This policy position tilts the planning balance in favour of the application.

The proposed development would result in the delivery of five, large detached, aspirational, dwellings, which would make a small but nonetheless significant contribution towards meeting the Borough's housing needs. This is due to paragraph 11(d) of the NPPF being engaged. The application has demonstrated that the scheme would be capable of providing a good standard of accommodation. The provision of good quality housing carries significant weight in favour of the proposal. In addition, it has been found to be an acceptable level of infill development which will have a less than substantial impact on the Green Belt. Further it would assist the Council in meeting its HDT and affordable housing targets. Therefore, the development is considered to comply with exception 154(e) and Policy GB2 of the Local Plan and would be acceptable development within the Green Belt.

Noting that access, appearance, landscaping, layout and scale are reserved matters and would be considered in detail at a later date, the proposed development is considered to be acceptable in all other respects. These are neutral matters. However, the indicative layout has been assessed by the Highways Authority to be unacceptable at this time due to it being too wide. It is considered that this can be addressed via the reserved matters as the Highways Authority have not raised concerns about the access in terms of highway safety. .

There would be some economic benefit during the construction phase, and future occupiers would be likely to contribute to local services and facilities. It is considered that these benefits would be modest and therefore only attracts moderate weight in favour of the proposal.

With regards to sustainability, whilst the existing site could not generally be categorised as being in a sustainable location for non-car modes of transport at present, the improvements to be made together with the new bus stop to be provided by another nearby development, it is

considered, on balance, that the site will become more sustainable after completion than at present and would therefore be acceptable in this regard.

In conclusion, whilst the proposal has been assessed to contravene some policies of the Local Plan (2019) due to lack of immediate sustainability, it is considered that the site's sustainability will be improved through the delivery of a bus stop nearby and improved footpath links, both to be delivered by neighbouring developments and secured through s.106 and s.278 legal agreements. Therefore, taking all the aforementioned into account, the development would accord with the majority of the policies in the adopted Local Plan (2019) and the public benefits identified through the delivery of large aspirational residential units, outweigh the harms previously identified. Therefore, despite the conflicts with the aforementioned Local Plan Policies, there are sufficient material considerations to indicate that outlined planning permission should be granted in this instance.

EQUALITY AND HUMAN RIGHTS CONSIDERATIONS

Consideration has been given to Articles 1 and 8 of the First Protocol of the European Convention on Human Rights. It is not considered that the decision would result in a violation of any person's rights under the Convention.

When considering proposals placed before the Council as Local Planning Authority, it is important that it is fully aware of and has themselves rigorously considered the equalities implications of the decision that they are taking. Therefore, rigorous consideration has been undertaken by the Council as the Local Planning Authority to ensure that proper appreciation of any potential impact of the proposed development on the Council's obligations under the Public Sector Equalities Duty.

The Equalities Act 2010 requires the Council when exercising its functions to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and other conduct prohibited under the Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and (c) foster good relations between persons who share protected characteristics under the Equality Act and persons who do not share it. The protected characteristics under the Equality Act are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief; sex and sexual orientation.

It is considered that the decision has had regard to this duty. The development would not conflict with either Stevenage Borough Council's Equality Policy or the commitments set out in our Equality Objectives and would support the Council in meeting its statutory equality responsibilities.

RECOMMENDATION

GRANT OF OUTLINE PLANNING PERMISSION

SUBJECT TO THE FOLLOWING CONDITIONS/REASONS

- 2 Approval of the details of the layout, scale, appearance , the means of access thereto and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority, prior to the commencement of any part of the development.

REASON:- To comply with the provisions of Regulations 6 and 7 of the Town and Country Planning (General Development Procedure) Order 2015.

- 3 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

REASON:- To comply with the requirements of Section 92 of the Town and Country Planning Act 1990

- 4 The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
REASON:- To comply with the requirements of Section 92 of the Town and Country Planning Act 1990
- 5 No development shall commence (including site clearance) until a Construction Management Statement has been submitted to and approved in writing by the Local Planning Authority, including elements of the CLOCS standards as set out in the Highway Authority's Construction Management template. Thereafter the construction of the development shall only be carried out in accordance with the approved Statement. The Construction Management Statement shall include details of:
a) Construction vehicle types and numbers;
b) Access arrangements to the site;
c) Construction and storage compounds including areas designated for loading/unloading and turning areas;
d) Timing of construction activities (including delivery times and removal of waste) to avoid school pick up/drop off times;
e) Provision of sufficient on-site parking for contractors/operatives prior to commencement of construction activities;
REASON:- In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).
- 6 No development shall take place above slab level until details of measures to address adaptation to climate change have been submitted to and approved in writing by the Local Planning Authority. These measures shall then be implemented and permanently maintained in accordance with the approved details.
REASON:- To ensure the development is adaptable to climate change through provision of energy and water efficiency measures.
- 7 No development shall take place above slab level until details of the treatment of all boundaries including details of any walls, fences, gates or other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The approved boundary treatments shall be completed before the use hereby permitted is commenced or before the building(s) is occupied.
REASON:- To ensure a satisfactory standard of development in the interests of amenity and that it has an acceptable appearance.
- 8 No development shall take place above slab level until there has been submitted to and approved by the Local Planning Authority a scheme of soft and hard landscaping and details of the treatment of all hard surfaces. The scheme shall include details of all existing trees and hedgerows on the land and details showing all trees to be removed, or retained, together with details of all new planting to take place including species, size and method of planting.
REASON:- To ensure a satisfactory appearance for the development.
- 9 Any trees or plants comprised within the scheme of landscaping, which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing by the Local Planning Authority.
REASON:- To ensure a satisfactory appearance for the development.

- 10 Before any development commences, including any site clearance or demolition works, any trees on the site shall be protected by fencing or other means of enclosure in accordance with a detailed scheme submitted to and approved in writing by the Local Planning Authority. Such protection as may be agreed shall be inspected and approved by the Local Planning Authority prior to the commencement of the work and maintained until the conclusion of all site and building operations.
REASON:- To ensure that the retained tree(s) are not damaged or otherwise adversely affected during site operations.
- 11 No development shall commence until full details (in the form of scaled plans and/or written specifications) have been submitted to and approved in writing by the Local Planning Authority, in conjunction with the Highways Authority, to illustrate the following:
a) roads, footways;
b) cycleways;
c) foul and surface water drainage;
d) visibility splays;
e) access arrangements;
f) parking provision in accordance with adopted standards;
g) loading areas;
h) turning areas.
REASON:- To ensure suitable, safe and satisfactory planning and development of the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).
- 12 Prior to the first occupation of the dwellinghouses hereby permitted, all parking spaces shall be provided with the underlying infrastructure for connection to the electricity network to enable them to be served by an electric vehicle charging point.
REASON:- To ensure construction of a satisfactory development and to promote sustainable development
- 13 No development shall take place above slab level until a detailed car parking plan, to include details of visitor parking spaces and garage spaces, has been submitted to and approved in writing by the Local Planning Authority. The parking areas shall be constructed in a porous material or provision shall be made for a sustainable urban drainage system (SuDS) to be built into the hardsurfaced areas. Once provided the parking facilities shall be retained in that form and thereafter be used for the parking of vehicles only.
REASON:- To ensure that adequate parking facilities are available within the site and to prevent surface water from passing onto the public highway which may be detrimental to highway safety.
- 14 Prior to the first occupation of the dwellinghouses hereby permitted, details of the waste and recycling storage and cycle storage shall be submitted to and approved in writing by the Local Planning Authority. The storage areas shall be completed before any of the dwellings are occupied and shall be retained and maintained accordingly during the lifetime of the development.
REASON:- To ensure a satisfactory standard of development in the interests of amenity.
- 15 No demolition or construction work relating to this permission which is audible at the site boundary shall be carried out on any Sunday, Public or Bank Holiday nor at any other time, except between the hours of 07:30 and 18:00 on Mondays to Fridays and between the hours of 08:00 and 13:00 on Saturdays.
REASON:- To safeguard the amenities of the occupiers of neighbouring properties.

For the following reason:

- 1 Outline Planning Permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

INFORMATIVE

1 **Public Information on Planning Applications**

Warning: all information provided on your planning application is now publicly available. Individuals and organisations offering their services may contact you. The Council does not endorse or approve any builders, surveyors, trades persons or other supplier, and advises householders to obtain quotes/references, and check the legitimacy of any contractor who contacts them before making payment.

2 **Community Infrastructure Levy**

Stevenage Borough Council adopted a Community Infrastructure Levy (CIL) Charging Schedule at Full Council on 27 January 2020 and started implementing CIL on 01 April 2020.

This application may be liable for CIL payments and you are advised to contact the CIL Team for clarification with regard to this. If your development is CIL liable, even if you are granted an exemption from the levy, please be advised that it is a requirement under Regulation 67 of The Community Infrastructure Levy Regulations 2010 (as amended) that CIL Form 6 (Commencement Notice) must be completed, returned and acknowledged by Stevenage Borough Council before building works start. Failure to do so will mean you risk losing the right to payment by instalments and a surcharge will be imposed. NB, please note that a Commencement Notice is not required for residential extensions if relief has been granted.

Stevenage's adopted CIL Charging Schedule and further details of CIL can be found on the Council's webpages at www.stevenage.gov.uk/CIL or by contacting the Council's CIL Team at CIL@Stevenage.gov.uk.

3 **Building Regulations**

To obtain advice regarding current Building Regulations please contact Hertfordshire Building Control Ltd. by emailing us at building.control@hertfordshirebc.co.uk or phoning us on 01438 879990.

To make a building regulations application please apply through our website portal at <https://www.hertfordshirebc.co.uk/contact-us/> payment can be made online or by phoning the above number after the application has been uploaded. Please phone Hertfordshire Building Control for fees guidance on 01438 879990.

Hertfordshire Building Control can also be contacted by post at Hertfordshire Building Control Ltd, Campus East, Welwyn Garden City, Hertfordshire, AL8 6AE.

Once a building regulations application has been deposited with relevant drawings and fee building work may commence. You will be advised in their acknowledgement letter of the work stages we need to inspect but in most instances these are usually:

- Excavation for foundations
- Damp proof course
- Concrete oversite
- Insulation
- Drains (when laid or tested)
- Floor and Roof construction
- Work relating to fire safety
- Work affecting access and facilities for disabled people
- Completion

Please phone Hertfordshire Building Control on 01438 879990 before 10.00am to ensure a same day inspection (Mon - Fri).

- 4 **Party Wall etc. Act 1996**
Any work that affects a party wall, including foundations dug within 3.0m of a neighbouring building, may be controllable under the Act and may require approval from the adjoining owner(s). Party Wall Act matters are always civil matters and it is neither Stevenage Borough Council's nor Hertfordshire Building Control Ltd's remit to control or enforce Party Wall act matters. Please refer to the Government's explanatory booklet The Party Wall etc. Act 1996, a copy of which is available online at <https://www.gov.uk/government/publications/the-party-wall-etc-act-1996-revised-explanatory-booklet>
- 5 **Hertfordshire County Council as Highways Authority**
Parking and Storage of materials: The applicant is advised that all areas for parking, storage, and delivery of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> or by telephoning 0300 1234047.
- 6 **Hertfordshire County Council as Highways Authority**
Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website: <http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.
- 7 **Hertfordshire County Council as Highways Authority**
Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.
- 8 **Hertfordshire County Council as Highways Authority**
Construction standards for new vehicle access: Where works are required within the public highway to facilitate the new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission, requirements and for the work to be carried out on the applicant's behalf. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/dropped-kerbs/dropped-kerbs.aspx> or by telephoning 0300 1234047.

9 Biodiversity Net Gain

Applications where Biodiversity Net Gain is not required as application is a non-major application submitted prior to 2 April 2024.

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

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

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

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

Based on the information available, this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because the following statutory exemption or transitional arrangement is considered to apply.

1. Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:

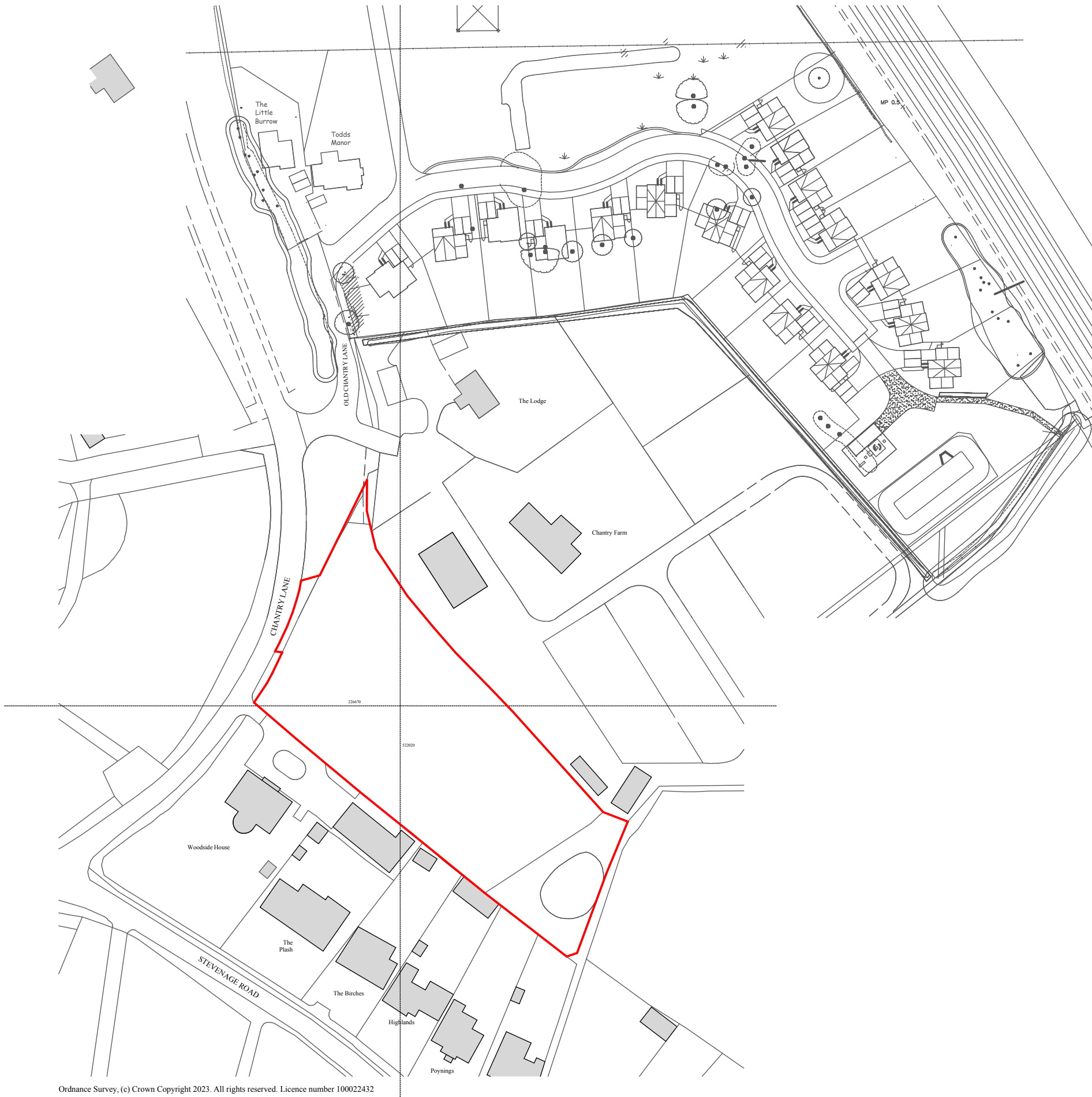
- a) the application for planning permission was made before 2 April 2024;
- b) planning permission is granted which has effect before 2 April 2024; or
- c) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates was exempt by virtue of 3 (a) or (b).

Where the local planning authority considers that the permission falls within paragraph 19 of Schedule 7A to the Town and Country Planning Act 1990, the permission which has been granted has the effect of requiring or permitting the development to proceed in phases. The modifications in respect of the biodiversity gain condition which are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 apply.

Biodiversity gain plans are required to be submitted to, and approved by, the planning authority before development may be begun, and, if subject to phased development, before each phase of development may be begun.

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans. The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat. The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

More information can be found in the Planning Practice Guidance online at <https://www.gov.uk/guidance/biodiversity-net-gain>



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 Cameron Bosque Brookes Architects Cambridge Huntingdon Whittlesey 01480 301 554 07548 658 571 info@cbb-architects.co.uk	<u>Status</u> Planning	<u>Title</u> Location Plan	<u>Rev</u> <u>Date</u> <u>Drawn by</u> <u>Change description</u> P1 04/12/2023 GC Issued for Planning	 
	<u>Client Name</u> Richard Lines	<u>Scale</u> 1:1250@A3	<u>Date</u> 04/12/2023	
	<u>Project Address</u> Land off Chantry Lane Stevenage SG1 2JE	<u>Drawing Number</u> 23118-0000	<u>Revision</u> P1	<u>General Notes</u> Do not scale from this drawing, apart from Town Planning purposes. Work to figure dimensions only. This drawing is the property of Cameron Bosque Brookes Architects Limited and copyright is reserved by them. This drawing is issued on the basis that it is not copied, used or disclosed by or to any unauthorised person without the prior written consent of Cameron Bosque Brookes Architects Limited. The drawing representative of the building or site and intended works. Contractors should carry out their own independent site surveys to confirm dimensions.

Areas

- Plot 1** (two storey dwelling) 5 bed
Total GIA 204m²
Plot 2 (two storey dwelling) 4 bed
Total GIA 180m²
Plot 3 (two storey dwelling) 6 bed
Total GIA 318m²
Plot 4 (two storey dwelling) 4 bed
Total GIA 180m²
Plot 5 (two storey dwelling) 4 bed
Total GIA 180m²

Each dwelling to have at least 200m²
of rear garden space and 2 off road
car parking spaces

Public right of way maintained
through site



100m² Public Communal space
(garden / small park etc.)



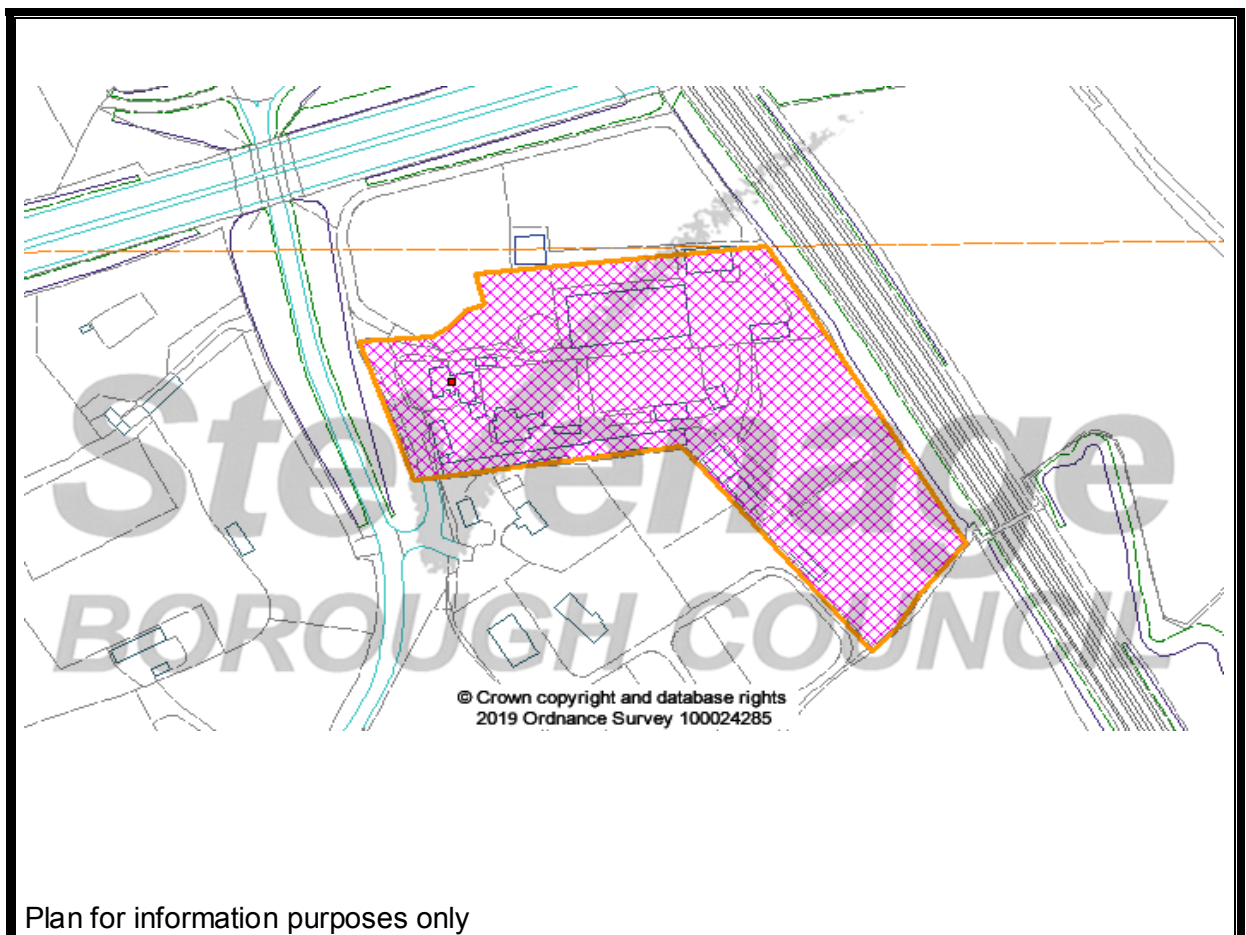
Status Planning	Title Proposed Block Plan	Rev Date Drawn by Change description P1 04/12/2023 GC Issued for Planning P2 12/03/2024 GC Revised Planning Issue	0m 10m 20m 30m 40m 50m 	
Client Name Richard Lines	Scale 1:500@A3 Date 12/03/2024			
Project Address Land off Chantry Lane Stevenage SG1 2JE	Drawing Number 23118-1001 Revision P2			
General Notes Do not scale from this drawing, apart from Town Planning purposes. Work to figure dimensions only. This drawing is the property of Cameron Bosque Brookes Architects Limited and copyright is reserved by them. This drawing is issued on the basis that it is not copied, used or disclosed by or to any unauthorised person without the prior written consent of Cameron Bosque Brookes Architects Limited. The drawing representative of the building or site and intended works. Contractors should carry out their own independent site surveys to confirm dimensions.				



APPENDIX 5: Committee Report Application Ref. ref. 21/00971/FPM

Meeting:	Planning and Development Committee	Agenda Item:
Date:	Thursday 9 December 2021	
Author:	Linda Sparrow	01438 242837
Lead Officer:	Zayd Al-Jawad	01438 242257
Contact Officer:	Linda Sparrow	01438 242837

Application No :	21/00971/FPM
Location :	Courtlands, Todds Green, Stevenage, Herts, SG1 2JE
Proposal :	Redevelopment of existing riding stables to provide 11no. three bedroom and 6no. four bedroom dwellings with associated access road, parking, landscaping, footpath connections, infiltration basin and pump station
Drawing Nos.:	FIG D_3 PUMPING STATION LAYOUT; 14043_P027C LOCATION PLAN; 14043_P030R SITE PLAN; 14043_P031K HOUSE TYPES; 14043_P037B SITE AREAS; 14043_P038A SITE SECTIONS; ID-200-PLAN - EXISTING SITE PLAN; 14043_P035C House Type 2; 14043_P034D House Type 1;
Applicant :	EHP Land and Development
Date Valid:	2 September 2021
Recommendation :	GRANT PLANNING PERMISSION



1. SITE DESCRIPTION

- 1.1 The application site is currently in use as riding stables and a riding school. The site comprises a number of old buildings, some single storey, some two storey, all of varying sizes, materials, colours and degree of wear and tear. There are two small dwellings within the site which have been used by the owners of the riding school. Large areas of the site are covered with hardstanding or are bare un-landscaped areas.
- 1.2 To the north of the site is an extensive grassed paddock area with a large overhead power line, with the A602 highway beyond. There are a limited number of small trees within the site although the western site boundary with Old Chantry Lane is heavily landscaped with a dense mature tree belt and to the south of the site is the extensive area of St. Margaret's Wood. To the east of the site is the East Coast Mainline railway. To the south-west of the site is Chantry Farm which is a mixture of residential and commercial enterprises and the residential site of The Lodge. Further outside the site boundary to the south is the main hamlet of Todds Green which comprises a mixture of residential premises, along with farmsteads and stables; to the north of the A602 is the village of Little Wymondley. The remaining surrounding area is rolling agricultural fields.
- 1.3 The site is accessed from the main highway of Chantry Lane via the small access road of Old Chantry Lane which also serves The Lodge and Chantry Farm.
- 1.4 The Riding School and associated stabling and ancillary buildings, operates from many buildings within the site. Most of these buildings are confined towards the north of the site, with a linear run projecting to the south adjacent to the western boundary of the site. Most buildings are single storey in form, though many have a massing and height of a two-storey structure. The largest individual building is the indoor riding arena building which is located on the highest part of the site. The arena has a purely functional prefabricated form with a gabled ended grey sheeted exterior. There are two main runs of stable and associated buildings running east/west close to the mutual boundary with The Lodge and Chantry Farm.
- 1.5 Footpath "Stevenage 085" runs east/west within the site close to the southern boundary. For reasons unclear, that footpath is presently not accessible from outside of the site. An informal footpath runs east/west beyond the south boundary which is that route presently used by those traversing the area. The proposal will reintroduce the ability to access the alignment of footpath 085 with the off-site pathway and provide links to and through the site via two new links.

2. RELEVANT PLANNING HISORY

- 2.1 08/00308/FP Demolition of 1no dwelling and erection of 1no. five bedroom and 2no. four bedroom detached dwellings. Withdrawn 06.06.2008.
- 2.2 14/00307/CLEU Certificate of lawfulness for permanent use of land for the stationing of two residential caravans. Lawful Development Certificate Granted 11.09.2014.
- 2.3 15/00476/FP Retention of 2no. storage barns for equipment and feed. Permission granted 13.11.2015.
- 2.4 18/00072/FP Demolition of existing dwellinghouse and erection of 1 no. four bedroom detached dwellinghouse. Permission granted 11.04.2018.
- 2.5 18/00444/FP Proposed replacement of 1 no. four bedroom detached dwelling house. Permission granted 17.09.2018.

- 2.6 18/00637/COND Discharge of conditions 3 (materials); 8 (Boundary treatments); 11 (landscaping); and 13 (climate change) attached to planning permission reference number 18/00444/FP. Conditions discharged 03.12.2018.
- 2.7 18/00756/FP Variation of condition 1 (Plans) attached to planning permission reference number 18/00444/FP for the relocation and replacement with a larger mobile home. Permission granted 07.02.2019.
- 2.8 19/00698/FP Erection of 1no. 3 bedroom bungalow. Permission refused 23.01.2020. The reasons for refusal were as follows:
1. The erection of the bungalow represents inappropriate development which is harmful to the openness of the Green Belt. The applicant has failed to adequately demonstrate a case of very special circumstances to outweigh the harm caused to the Green Belt contrary to paragraphs 143, 144 and 145 of the National Planning Policy Framework (2019) and Policies GB1, GB2 and SP10 of the Stevenage Local Plan 2011-2031 (adopted 2019).
 2. The proposed development would have a harmful impact on the visual amenities of the wider rural countryside including the Green Belt. Consequently, the proposed development is contrary to Policies GB2, SP8 and GD1 of the Stevenage Borough Local Plan 2011-2031 (2019), the Council's supplementary planning document Stevenage Design Guide SPD (2009), the National Planning Policy Framework (2019) and the National Planning Practice Guidance (2014).
- 2.9 20/00142/FP Proposed detached dwelling to replace existing mobile home. Permission granted 30.04.2020.
- 2.10 20/00247/COND Discharge of condition 11 (landscaping) and 13 (climate change) attached to planning permission reference number 20/00142/FP. Conditions discharged 29.06.2020.
- 2.11 20/00307/NMA Non Material Amendment to alter window and doors including colour change of frames and external cladding attached to planning permission 20/00142/FP. Non-Material Amendment agreed 29.06.2020.
- 2.12 20/00308/NMA Non Material Amendment to change colour of external cladding and change of window and door frame colour attached to planning permission 18/00072/FP. Non-Material Amendment agreed 29.06.2020.

3. THE CURRENT APPLICATION

- 3.1. The application before the Council seeks planning permission for demolition of all buildings on site and the erection of 11no. three bedroom and 6no. four bedroom dwellings with associated access road, parking, landscaping, footpath connections, infiltration basin and pump station.
- 3.2. The application site is located within Green Belt and as the application is classified as a major housing scheme on a site not allocated for housing in the Local Plan, it is considered a departure from the development plan.
- 3.3. The application comes before the planning and development committee as it is a major residential scheme.

4. PUBLIC REPRESENTATIONS

- 4.1. The application was publicised by way of neighbour notification letters, a press notice and site notices. As the proposed development would be a departure from the adopted Local Plan, a further site notice and press notice has been issued. Any additional representations which are made and are materially different to the representations which have been received to date, will be reported to the planning committee.
- 4.2. Summaries of the comments received are outlined below:

The Coach House, Todds Green

Firstly I believe the development will be an improvement to the existing site even in its present form. However 4 or 5 bedroom housing would be more in keeping to how Todds Green is being developed as an upmarket area. In addition, I would make a stipulation with the developer to include upgrading the existing public footpath that runs down adjacent to the site to the railway bridge.

North East Herts Swift Group Hillside, Patmore Heath Albury, Herts

We would support the comments by Mr Matt Dodds on behalf of Herts & Middx Wildlife Trust and ask that in the interests of enhancing biodiversity swift and bat bricks are secured by a suitably worded condition if this development proceeds.

Courtlands, Old Chantry Lane

Customer made comments in support of the application – please note no comments were attached

Todds End, Todds Green

Welcome the proposal for new housing. Would like to see terraced houses of 2 bedrooms so we can buy and let them to friends and staff; or it would be beneficial to have 4bed executive housing for Stevenage. Trees on boundary with A602 should be protected.

Briars, Todds Green

Another application for greedy people; Green belt should remain to protect Todds Green

Thornboro, Todds Green

We live in North Herts yet SBC get to decide what happens here and destroy the identity of Todds Green; developing Green Belt should be illegal as its morally abhorrent; SBC are too keen to destroy all the Green Belt; 133 houses being built nearby along with traffic from two industrial sites is bad enough.

Chantry Farm, Todds Green

No objection, it would improve the area considerably especially if the old buildings are removed.

5. CONSULTATIONS

5.1 Hertfordshire County Council Highways

- 5.1.1 Hertfordshire County Council (HCC) as Highway Authority's has considered that the proposal would not have an unreasonable impact on the safety and operation of the adjoining highways subject to the inclusion of highway informatives and conditions. The applicant will need to enter into a section 278 of the Highways Act 1980 agreement to address the footway provision and carriageway works joining to the adjacent local access road.
- 5.1.2 There is one point for vehicle access from Chantry Lane, via a simple priority junction 5.0 metres wide complete with a minimum 8.0 metres kerbs radius to the south side of the

carriageway, which would support two-way traffic, taking into account the passing of parked cars by waste collection vehicles and indiscriminate parking on the access road. In view of the geometry of the horizontal alignment of the road layout and estimated approaching speed of traffic, visibility splays of 2.4m by 43m are considered acceptable from the existing junction of Chantry Lane with vehicle to vehicle inter-visibility visibility splays along the adjacent footway/verge. No planning condition is required for this as the level of visibility conforms to the stopping sight distance (SSD) criteria of Manual for Streets (MfS). The applicant is advised that except for the footway improvement works, all new highways associated with this development will remain un-adopted unless a justification can be put forward to show a wider public benefit. The developer should therefore put in place a permanent arrangement for long term maintenance.

- 5.1.3 A swept path analysis has been submitted demonstrating that a large vehicle can manoeuvre and turn around within the site access road. This ensures compliance with the guidelines contained in 'MfS', 'Roads in Hertfordshire; A Design Guide' and 'Building Regulations 2010: Fire Safety Approved Document B Vol 1 – Dwellinghouses'. The Personal Injury Collision data for the latest five-year period within the Transport Assessment do not reveal any reoccurring problems or patterns at the nearby local road network.
- 5.1.4 Cycle rack provision should be in accordance with the adopted Stevenage's standards and should be in the form of lit, lockable and weather resistant cycle lockers or stores and be sited away from bin stores. In addition, some lockable cycle parking in the form of 'Sheffield' style parking loops conveniently located with natural surveillance of the dwellings should also be provided for visitors. Policy 1 of the Local Transport Plan (LTP)4 and Para 14.3 of the Roads in Hertfordshire Guidance requires that provision for the adequate and secure parking of powered two wheelers as described in Traffic Advisory Leaflet 02/02 'Motorcycle Parking' and the Institute of Highway Engineers (IHIE) 'Guidelines for Motorcycling'. Parking for powered two wheelers should be protected from the elements and provide a means for securing the vehicle such as rails, hoops or posts. While individual bays are not generally marked out a footprint of 2.0m x 0.8m should be allowed for each vehicle.
- 5.1.5 The public right of way is located within the vicinity of the site, that includes footpath 'Stevenage 086' that connects Old Chantry Lane to the footpath on the northern side of Stevenage Road and connects to footpath 'Stevenage 085', which borders the site to the south and connects to the Corey's Mill Interchange (c.500m walk). Footways are provided along Stevenage Road and are continuous between footpath 'Stevenage 086' and Fishers Green/Symonds Green and Corton Close bus stop (c.1.1km), to the south. As part of these proposals and in order to connect the site to the existing footway network, it is proposed to provide a footway link from the site access south, to Stevenage Road. A planning condition addressing this improvement work has been recommended.
- 5.1.6 The Transport Assessment includes a TRICS (7.7.4) database of the development. It is based on the 17 dwellings as '03- Residential, A – Houses Privately Owned' within 'edge of town centre' and 'free-standing' locations. The proposal will generate approximately 8 two-way movements during the morning peak travelling period (0800 – 0900) and 9 two-way movements during the evening peak travelling period (1700 – 1800) the total proposal will generate a daily total of 83 two-way movements through the day. The Highways Authority raises no concerns with this level of trip generation.
- 5.1.7 Concerns by HCC over the impact of the construction traffic travelling to the site have resulted in a planning condition being recommended to prepare a Construction Traffic Management Plan. Also, to maintain highway safety along the adjacent highway for site access for construction purposes serving the new development must be complete to base course level for the first 10 metres prior to any building construction to the new development commencing on site.

5.2 Herts Fire and Rescue Service Water Officer

- 5.2.1 The application will require a condition for the provision of fire hydrants, to be provided and installed by the developer at no cost to the county or Fire and Rescue Services. This is to ensure the site has adequate supplies of water in the event of an emergency.

5.3 Sport England

- 5.3.1 The proposed development does not fall within either our statutory remit (Statutory Instrument 2015/595), or non-statutory remit (National Planning Policy Guidance (PPG) Par. 003 Ref. ID: 37-003-20140306), therefore Sport England has not provided a detailed response in this case, but would wish to give the following advice to aid the assessment of this application. If the proposal involves the loss of any sports facility then full consideration should be given to whether the proposal meets Par. 97 of NPPF, is in accordance with local policies to protect social infrastructure and any approved Playing Pitch Strategy or Built Sports Facility Strategy that the local authority has in place.
- 5.3.2 If the proposal involves the provision of additional housing (then it will generate additional demand for sport. If existing sports facilities do not have the capacity to absorb the additional demand, then new and/or improved sports facilities should be secured and delivered in accordance with any approved local policy for social infrastructure, and priorities set out in any Playing Pitch Strategy or Built Sports Facility Strategy that the local authority has in place. In line with the Government's NPPF (including Section 8) and PPG (Health and wellbeing section), consideration should also be given to how any new development, especially for new housing, will provide opportunities for people to lead healthy lifestyles and create healthy communities. Sport England's Active Design guidance can be used to help with this when developing or assessing a proposal. Active Design provides ten principles to help ensure the design and layout of development encourages and promotes participation in sport and physical activity.

5.4 HCC Growth and Infrastructure Unit

- 5.4.1 Hertfordshire County Council's Growth & Infrastructure Unit do not have any comments to make in relation to financial contributions required by the Toolkit, as this development is situated within your CIL zone and does not fall within any of the CIL Reg123 exclusions.

Amended comments received 27.09.2021

- 5.4.2 I note my colleague has already sent our CIL consultation response to you. I am the officer dealing with the North Hertfordshire District Council application, reference 21/02576/FP. I have had a discussion with the NHDC case officer and as the access is the only part of the site that is within their boundary we are currently of the opinion that we will not be seeking planning obligations and reserve the right to seek Community Infrastructure Levy contributions towards the provision of infrastructure.

5.5 Thames Water

Waste Comments

- 5.5.1 We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.

Surface Water Drainage:

- 5.5.2 Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection.

Water Comments:

- 5.5.3 With regard to water supply, this comes within the area covered by the Affinity Water Company.

5.6 Herts & Middlesex Wildlife Trust

- 5.6.1 In accordance with the recommendations in the ecological report and to secure an enhancement to biodiversity in accordance with NPPF, integrated bat and bird boxes and hedgehog highways should be conditioned as part of the decision.

5.7 Natural England

- 5.7.1 No comments to make on this application. The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. It is for the local planning authority to determine whether or not this application is consistent with national and local policies on the natural environment.

5.8 SBC Traffic and Parking Enforcement Manager

- 5.8.1 If the new street is to be adopted the Council would need to take this into account whereas if it remains private then parking management would remain a matter for the owners.

5.9 SBC Arboricultural and Conservation Manager

- 5.9.1 No comments Received.

5.10 SBC Environmental Health

- 5.10.1 Construction activities by their nature can be noisy and intrusive for neighbouring occupiers, particularly in terms of noise, vibration and air quality (dust). Noise and vibration can arise from piling operations, groundworks and excavation and plant and machinery and their associated activities. Early morning deliveries can also give rise to disturbance if not properly controlled and managed. Dust from site operations can also be an issue, particularly during periods of sustained dry weather. Public Protection expect developers to control the impact from the construction phase of their development by implementing suitable mitigation measures and following best practices in accordance with BS5228:2009 Part 1 (Noise) and Part 2 (Vibration), where appropriate, Environmental Health also seeks to ensure that the environmental impacts of construction works are suitably controlled through their powers under Part III of the Environmental Protection Act 1990 (Statutory Nuisances) and Section 60 of the Control of Pollution Act 1974. Due to the proximity of existing occupied premises I recommend a Construction Management Plan and hours of work condition.
- 5.10.2 The proposed residential development will potentially be adversely affected by railway noise and road traffic noise from the A1(M) and A602. There is also a dog training ground to the West of the site (North Hertfordshire District Council, which currently has a temporary permission until May 2022; no complaints have been received regarding this site to date).
- 5.10.3 Environmental Health have reviewed the submitted "Noise and Vibration Impact Assessment, Land at Courtlands Riding Stables", Report reference J 04467R1 dated 7/9/2021 by Sound Planning Ltd. Appropriate Design Criteria have been selected for both noise and vibration

and monitoring undertaken. Noise modelling has been used to determine noise levels across site. Noise mitigation measures were found to be required, specifically enhanced glazing, mechanical ventilation and a 2 metre high close boarded fence, (minimum mass 10 kg/sq m). Additional information has been provided via email - Drawings reference 14043-P034- D and P035-C (These emails state that triple glazed glazing will be implemented, in conjunction with openable windows, which satisfy my concerns). A condition requiring the scheme is completed in accordance with this report is recommended.

5.11 Affinity Water

- 5.11.1 You should be aware that the proposed development site is located within an Environment Agency defined groundwater Source Protection Zone (SPZ) corresponding to our Pumping Station (WYMO). This is a public water supply, comprising a number of Chalk abstraction boreholes, operated by Affinity Water Ltd. We require the submission of an intrusive ground investigation to aid our assessment of the application due to the points raised below:
- Former use as a stables and the potential for slurry run-off to have infused and drained to the ground.
 - With regards the infiltration basin, historic borehole records indicate groundwater at 4.2m below ground level which leaves very little room for filtration of any pollutants.
- 5.11.2 We would also like to identify that the use of the downstream defender within the drainage strategy to manage any potential pollution will depend on maintenance, if any further information can be provided on this. I have discussed with our teams hydrogeologists who have decided this would be ok to be conditioned, but I would like to reiterate the importance of a ground investigation being carried out and Affinity being notified prior to any excavations, should this application be granted permission.

Amended comments received 21.10.2021

- 5.11.3 The applicant subsequently provided a Phase I and Phase II site investigation report and details of the downstream defender which concluded there was no risk to groundwater. Affinity were re-consulted and responded that they are now satisfied with the information provided.

5.12 Network Rail

- 5.12.1 Following assessment of the details provided to support the above application, Network Rail has no objection in principle to the development, but below are some requirements which must be met, especially with the proximity of the development to high voltage overhead line equipment.
- 5.12.2 Due to the proximity of the proposed development to the operational railway boundary, it will be imperative that the developer liaise with our Asset Protection Team prior to any work taking place on site to ensure that the development can be undertaken safely and without impact to operational railway safety. It is imperative that drainage associated with the site does not impact on or cause damage to adjacent railway assets. Surface water must flow away from the railway, there must be no ponding of water adjacent to the boundary and any attenuation scheme within 30m of the railway boundary must be approved by Network Rail in advance. There must be no connection to existing railway drainage assets without prior agreement with Network Rail. It is imperative that planting and landscaping schemes near the railway boundary do not impact on operational railway safety. Where trees and shrubs are to be planted adjacent to boundary, they should be positioned at a minimum distance greater than their height at maturity from the boundary. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary.
- 5.12.3 Any hedge planted adjacent to the railway boundary fencing for screening purposes should be placed so that when fully grown it does not damage the fencing, provide a means of

scaling it, or prevent Network Rail from maintaining its boundary fencing. Where lighting is to be erected adjacent to the operational railway, the potential for train drivers to be dazzled must be eliminated. In addition, the location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway. The Developer should be aware that any development for residential or noise sensitive use adjacent to an operational railway may result in neighbour issues arising. Consequently, every endeavour should be made by the developer to provide adequate soundproofing for each dwelling. Please note that in a worst-case scenario there could be trains running 24 hours a day and the soundproofing should take this into account.

5.13 Wymondley Parish Council

5.13.1 The Parish Council considered this application and object on the grounds the applications together amount to inappropriate development in the Green Belt and are therefore contrary to:

- paragraphs 143 to 145 of the National Planning Policy Framework; and
- Policy GB1 of the adopted Wymondley Parish Neighbourhood Plan 2015 to 2031 which states " Development proposals impacting on Wymondley Parish must comply with Government Green Belt policy; primary consideration will be given to effective use of brown-field sites, which are not of high environmental value. Development proposals should not impact negatively on Wymondley Parish - particularly in terms of visual impact on the openness of the Green Belt landscape and its important contribution to the character of our villages/hamlets."

5.14 Hertfordshire County Council as Lead Local Flood Authority

5.14.1 We have reviewed the Flood Risk Assessment & Sustainable Drainage Strategy prepared by Fernbrook Consulting Engineers dated September 2021 reference 21100-FCE-XX-XX-DR-D-0001 Revision P02. We would also advise the LPA that we engaged with the applicant as part of our Surface Water Advisory Service, and provided an advice note on 12 April 2021. The information provided to date does not provide a suitable basis for an assessment to be made of the flood risks arising from the proposed development. We therefore object to the grant of planning permission and recommend refusal on this basis for the following reasons:

5.14.2 Details of how surface water arising from a development is to be managed is required under the NPPF for all Major Planning Applications as amended within the NPPG from the 6 April 2015. Therefore, for the LLFA to be able to advise the Local Planning Authority that there is no flood risk from surface water an application for full planning permission should include the following:

1. Confirmation of feasible discharge mechanism.
2. Justification of SuDS selection.
3. Clarification of drainage strategy.

5.14.3 As per our pre-application advice dated 12 April 2021, we are pleased infiltration is proposed on site via the infiltration basin. We note that the applicant has provided some recommended wording for requiring infiltration testing as part of a condition. For a full planning application where infiltration is proposed as the primary method of drainage, this is unacceptable in principle. Evidence of on-site BRE Digest 365 infiltration tests should be provided, including indication of groundwater levels, from the outset. This was recommended in our advice letter dated 12 April 2021. As such, at this stage we unfortunately do not consider discharge via infiltration as per Option 1 feasible. Consequently, the calculations submitted in support of Option 1 are not valid and should be updated following infiltration testing on site.

5.14.4 We note that an alternative discharge to the Anglian Water foul sewer has been proposed in the event that infiltration is not feasible. We would consider a discharge to a foul sewer a substantially less sustainable strategy and would not be comfortable conditioning infiltration tests on the basis of a discharge to a foul water sewer at this stage. In addition, we note that

the Anglian Water correspondence in Appendix C states “a surface water connection to an Anglian Water owned foul sewer is not permitted”. While we acknowledge it is proposed to connect to the AW sewer via a combined sewer, at this stage the applicant has not provided evidence of agreement in principle from Anglian Water. As such, a feasible discharge mechanism has not been provided.

- 5.14.5 We are pleased that a swale is proposed to serve part of the access road with permeable paving draining driveways. However, we note that part of the access road is still proposed to drain directly via road gullies to the infiltration basin. As per our pre-application advice, the site is in Source Protection Zone 2 therefore we require robust SuDS management and treatment. We acknowledge a downstream defender and sediment forebay are proposed, however at this stage we would note that, as the road is indicated to remain private (as per email from Progress Planning dated 13 September 2021), that it may be feasible to implement permeable paving for the access road itself to provide source control and SuDS management and treatment throughout the site. Moreover, an additional section of swale may be feasible between the highway and the infiltration basin.
- 5.14.6 Please note that we would prefer for SuDS management and treatment to be provided through the use of above-ground SuDS, such as permeable paving, swales and filter drains. If features such as the above are not feasible, we would require robust technical justification before we would consider below ground features such as downstream defenders or similar.
- 5.14.7 Please could the applicant clarify how the access road/path in the southeast of the site is to be drained (the road/path near manhole S11) including the area around the foul pump station and the footpath to the east.
- 5.14.8 We understand this is a cross-boundary application and note that we have also been consulted on this site by North Hertfordshire District Council under planning reference 21/02576/FP. The same information has been submitted in support of both applications therefore our response to NHDC will contain the same comments.

5.15 North Hertfordshire District Council

- 5.15.1 No comments received.

5.16 UK Power Networks

- 5.16.1 No comments received.

5.17 National Grid

- 5.17.1 No comments received.

5.18 Herts Police Crime Prevention Design Advisor

- 5.18.1 I am disappointed that this application makes no reference to any form of addressing issues that may arise due to crime, disorder and the fear of crime. This is contrary to both Local & national planning policies. In fact, the applicant's Design and Access Statement (DAS) completely ignores Section 8 of the National Planning Policy Framework (NPPF) about promoting healthy and safe communities. In particular paragraph 92.b. I also have material concerns that this application does not address paragraph 92.c of the NPPF in that it appears essential to be a car owner or driver to live at this location as the nearest bus stop is quoted, in the DAS, as being over 900m from the site. That would be a lot asking any family to do their weekly shop and use public transport to get to and from this site.
- 5.18.2 I also have substantive concerns regarding the proposed cycle storage as being “Each dwelling will have cycle storage within the integral garages”. Given the current size of most

vehicles these days there would be little room to store the cycle and retrieve it without moving the vehicle first – in order to minimise the chance of damaging the vehicle. This is then not a feasible means of cycle storage. I also have substantive concerns regarding the waste bins storage. The DAS just states that “All bins are located within a short pull from the Pathways edge.” My concern is that these do not appear to be in any form of secure store and could lead to them being used to commit crime and also be used as climbing aids.

- 5.18.3 In order to mitigate my concerns and to address the lack of crime prevention detail I would strongly recommend that the application should contact the Hertfordshire Constabulary's Crime Prevention Design Service (CPDS) with a view to seeking to achieve accreditation to the Police preferred minimum security standard that is Secured by Design (SBD). – note that the DAS states that as part of this application a financial contribution is being made towards the proposed housing scheme in Dunn Close (this particular scheme is being fully supported by the CPDS as the council are seeking to achieve full SBD accreditation for the development, as such they are working with the local Crime Prevention Design Advisor (CPDA) in order to achieve this.
- 5.18.4 In light of the points raised above the CPDS are not in a position to support this application in its current form. Should the applicant choose to engage with the local CPDA with a view to achieving SBD accreditation then this position could change

6. RELEVANT PLANNING POLICIES

6.1 Background to the development plan

- 6.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that the decision on the planning application should be in accordance with the development plan unless material considerations indicate otherwise. For Stevenage the statutory development plan comprises:

- The Stevenage Borough Council Local Plan 2011-2031
- Hertfordshire Waste Development Framework 2012 and Hertfordshire Waste Site Allocations Development Plan Document (adopted 2012 and 2014); and
- Hertfordshire Minerals Local Plan 2002 – 2016 (adopted 2007).

6.2 Central Government Advice

- 6.2.1 A revised National Planning Policy Framework (NPPF) was published in July 2021. This largely reordered the policy substance of the earlier 2012 version of the NPPF albeit with some revisions to policy. The Council are content that the policies in the Local Plan are in conformity with the revised NPPF and that the Local Plan should be considered up to date for the purpose of determining planning applications. The NPPF provides that proposals which accord with an up to date development plan should be approved without delay (para.11) and that where a planning application conflicts with an up to date development plan, permission should not usually be granted (para.12). This indicates the weight which should be given to an up to date development plan, reflecting the requirements of section 38(6) of the 2004 Act.
- 6.2.2 Since November 2018, housing delivery has been measured against the Housing Delivery Test (HDT) as set out by the Government planning policy and guidance. The results of the HDT dictate whether a local planning authority should be subject to consequences to help increase their housing delivery. Where an authority's HDT score is less than 85% of its housing requirement, the Council must incorporate a 20% buffer into its housing supply calculations in line with paragraph 73 of the NPPF. Where an authority's score is below 75%, the Council will be subject to the HDT's most severe penalty and must apply the

presumption in favour of sustainable development. The latest HDT results, published by the Ministry of Housing Communities and Local Government (MHCLG) (now the Department for Levelling Up, Housing and Communities) in January 2021, identifies that Stevenage only delivered 64% of its housing requirement. This is significantly below the 75% target and renders the adopted Local Plan housing policies as out of date. Consequently, Stevenage Borough Council must apply the presumption in favour of sustainable development in its decision making and give great weight towards the need to deliver housing.

6.2.3 The Council therefore, has to prepare an Action Plan to show how the Council is responding to the challenge of ensuring more homes are delivered in the Borough. It will have to be prepared in accordance with Planning Practice Guidance and analyse the reasons for under-delivery of new homes against the Government's requirements. It also has to set out clear actions on how to improve housing delivery. Consequently, Stevenage Borough Council is considering its position in relation to preparing an action plan to enhance housing supply on deliverable sites.

6.2.4 In terms of 5 year land supply, the Council has recently published the Five Year Land Supply Update (August 2021) which reveals that Stevenage has a 5.85 year supply of housing. A copy of the statement is found on:

<https://www.stevenage.gov.uk/documents/planning-policy/monitoring/five-year-housing-land-supply-position-statement-august-2021.pdf>

6.2.5 The Council will also be commencing preliminary work into a potential review of its Local Plan, last adopted in May 2019. This is to ensure the policies within the Local Plan are up to date in accordance with the NPPF as well as ensuring the Council is delivering a sufficient supply of housing and employment.

6.3 Planning Practice Guidance

6.3.1 The PPG contains guidance supplementing the NPPF and with which Members are fully familiar. The PPG is a material consideration to be taken into account together with the National Design Guide (2019) which has the same status as the PPG.

6.4 Stevenage Borough Local Plan 2011-2031 (Adopted 2019)

Policy SP1: Presumption in Favour of Sustainable Development

Policy SP2: Sustainable Development in Stevenage

Policy SP5: Infrastructure

Policy SP6: Sustainable Transport

Policy SP7: High Quality Homes

Policy SP8: Good Design

Policy SP10: Green Belt

Policy SP11: Climate Change, Flooding and Pollution

Policy SP12: Green Infrastructure and natural environment

Policy IT4: Transport Assessments and Travel Plans

Policy IT5: Parking and Access

Policy HO1: Housing Allocations

Policy HO5: Windfall Sites

Policy HO6: Redevelopment of Existing Homes

Policy HO7: Affordable Housing Targets

Policy HO8: Affordable Housing Tenure, Mix and Density

Policy HO9: House Types and Sizes

Policy HO11: Accessible and Adaptable Housing

Policy GD1: High Quality Design

Policy GB1: Green Belt

Policy GB2: Green Belt Settlements

Policy FP1: Climate Change
Policy FP2: Flood Risk in Flood Zone 1
Policy FP5: Contaminated Land
Policy FP7: Pollution
Policy FP8: Pollution Sensitive Uses
Policy NH2: Wildlife sites
Policy NH5: Trees and Woodland
Policy NH7: Open Space Standards

6.5 Supplementary Planning Documents

Parking Provision Supplementary Planning Document October 2020
Stevenage Design Guide Supplementary Planning Document January 2009
Developer Contributions Supplementary Planning Document (March 2021)
Impact of Biodiversity on Developments Supplementary Planning Document (March 2021)

6.6 Community Infrastructure Levy Charging Schedule

- 6.6.1 Stevenage Borough Council adopted a Community Infrastructure Levy Charging Schedule in 2020. This allows the Council to collect a levy to fund infrastructure projects based on the type, location and floorspace of a development.

7. APPRAISAL

- 7.1.1 The main issues for consideration in the determination of the application are its acceptability in land use policy terms including the principle of development in the Green Belt, loss of the riding school, the intensification of the use of the site, Impact on visual amenity of the Green Belt, Impact on amenities, parking provision, means of access and highway safety, trees and landscaping, impact on the environment, development and flood risk and ecology and protected species.

- 7.1.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

7.2 Policy Considerations

- 7.2.1 The NPPF (2021) states at paragraph 7 that the purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF also stipulates that decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area. In addition, the Framework also sets out that sustainable development needs to be pursued in a positive way and at the heart of the framework is a "presumption in favour of sustainable development".
- 7.2.2 Paragraph 62 of the NPPF requires that the planning system should deliver, inter alia, a mix of housing particularly in terms of tenure and price to support a wide variety of households in all areas. Paragraph 68 of the NPPF sets out that small and medium sites can make an important contribution to meeting housing requirements in an area, and this includes supporting the development of windfall sites.
- 7.2.3 Paragraph 68 of the NPPF states that planning policies should identify a supply of specific deliverable sites for years one to five of the plan period, and specific deliverable sites or broad locations for growth, for years 6 to 10 and where possible, for years 11 to 15. Paragraph 73 of the same document states 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".

- 7.2.4 Paragraph 119 of the NPPF stipulates that planning policies and decisions should promote the effective use of land in meeting the need for homes such as through the use of brownfield sites (previously developed land) and the development of underutilised land.
- 7.2.5 Paragraph 74 of the NPPF stipulates policies should include a trajectory illustrating the expected rate of housing delivery over the plan period, and all plans should consider whether it is appropriate to set out the anticipated rate of development for specific sites. 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 local housing need where the strategic policies are more than five years old. The supply of specific deliverable sites should, in addition, include a buffer (moved forward from later in the plan period) of:
- a) 5% to ensure choice and competition in the market for land; or
 - b) 10% where the Local Planning Authority wishes to demonstrate a five year supply of deliverable sites through an annual position statement or recently adopted plan, to account for any fluctuations in the market during that year; or
 - c) 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply.
- 7.2.6 Dealing firstly with Five Year Housing Land Supply, the Council issued an Update Housing Land Supply Document in August 2021. This document was produced following the Appeal Decision for Land West of Lytton Way (APP/K1935/W/20/3255692). It sets out that the Council can demonstrate a Housing Land Supply of 5.85 years for the period 1 April 2021 to 31 March 2026, using the Liverpool methodology and guidance from the NPPF and Planning Practice Guidance (PPG). Given this position, whilst the Council has failed to meet its Housing Delivery Test, this document demonstrates that the proposal is not fundamental in the Council's ability to meet its 5 year land supply, even when incorporating the 20% buffer.
- 7.2.7 With respect to housing delivery since November 2018, housing delivery has been measured against the Housing Delivery Test (HDT) as set out by Government planning policy and guidance. The results of the HDT dictate whether a Local Planning Authority should be subject to consequences to help increase their housing delivery. Where an authority's HDT score is less than 85% of its housing requirement, the Council must incorporate a 20% buffer in to its housing supply calculations in accordance with paragraph 73 of the NPPF. Where an authority's score is below 75%, the Council will be subject to the HDT's most severe penalty and must apply the presumption in favour of sustainable development.
- 7.2.8 The latest HDT results, published by the MHCLG in January 2021, identifies that Stevenage only delivered 64% of its housing requirement. This is significantly below the 75% target and renders the adopted Local Plan housing policies as out of date. Consequently, Stevenage Borough Council must apply the presumption in favour of sustainable development in its decision making and give great weight towards the need to deliver housing. Notwithstanding this, paragraph 11 of the NPPF states that policies in the NPPF which protect areas of importance (such as Green Belt) are material considerations and permission should not therefore be granted if the proposal would harm protected areas.
- 7.2.9 Accordingly, as the Council has failed to meet its HDT, this application for new housing will assist the Council in meeting its housing delivery targets, and in meeting its affordable housing delivery targets. The following sections of this report will balance this presumption in favour of sustainable developments against the impacts of development.

Principal of Development in the Green Belt

- 7.2.10 The NPPF sets out the government's approach to protecting the Green Belt. Chapter 13 recognises the great importance of the Green Belt noting the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence. For proposals affecting the Green Belt, inappropriate development is identified as being harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 148 states that "very special circumstances" will not exist unless the potential harm to the Green Belt by way of inappropriateness and any other harm resulting from the proposal are clearly outweighed by other considerations. Paragraph 149 goes on to advise that local planning authorities should regard the construction of new buildings as inappropriate unless the proposal meets one of a limited number of specific exceptions. The most pertinent of these in relation to the proposal is subsection (g):
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 - not have a greater impact on the openness of the Green Belt than the existing development; or
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.
- 7.2.11 The second element of 149(g) therefore applies; the development would re-use previously developed land and deliver 6no. affordable housing units (35% of total units). The assessment therefore turns to whether or not the development would cause substantial harm to the openness of the Green Belt, noting that a lower level of harm would be deemed acceptable per the limitations of paragraph 149(g). This assessment can be made on both a spatial and visual basis, taking account of the quantifiable development as well as its visual impact on Green Belt openness.
- 7.2.12 Whilst there is a presumption in favour of sustainable development, this is balanced against the consideration of the proposal being inappropriate development in the Green Belt and whether it would comply with any of the defined exceptions to inappropriate development within the NPPF. As this report will go on to show, the development is considered to be compliant with Paragraph 149(g) and therefore there would be no requirement to demonstrate very special circumstances.
- 7.2.13 The application site is located within the Metropolitan Green Belt with no statutory designations for landscape character or quality covering the site. Proposals within the Green Belt are assessed against the guidance set out in Section 13 of the NPPF in addition to the Council's own Green Belt policies. Policy GB1 of the Local Plan (2019) sets out the areas of designated Green Belt on the proposals map which the application site forms part of. Policy GB2 of the same document stipulates that planning permission for small scale infillings, conversions within or adjacent to areas such as Norton Green and Todd's Green, will be permitted subject to the following criteria:-
- a) The development is previously developed land or it does not create more than 5 additional dwellings;
 - b) The development will be sympathetic to its surrounding environment (including the adjacent countryside) and will not negatively impact upon the character and appearance of the area;
 - c) The development reflects surrounding properties in terms of size, scale and design; and
 - d) No features essential to the character of the area will be adversely affected.
- 7.2.14 Further to the above, Policy GB2 goes on to state that the partial or complete redevelopment of previously developed land, even if it goes beyond the strict definition of infilling, will also be permitted in Norton Green and Todds Green subject to conditions b) to

d) being met.. The development is classified as major development within the Green Belt, therefore regard must be had to points b) and d). The proposal seeks to deliver 17 dwellings which exceeds the 5 dwellings stated in a) but it is previously developed land as also required by criterion a) of Policy GB2.

- 7.2.15 The surrounding character of Todds Green is an area heavily defined by large, detached aspirational dwellings and it is considered that the proposed development of 17 detached aspirational dwellings is in keeping with, and sympathetic to, the surrounding character.
- 7.2.16 For the purpose of clarity, the definition of previously-developed land, as stated within the NPPF (2021) is "land which is or was occupied by a permanent structure including the curtilage of the developed land and any associated fixed surface infrastructure".
- 7.2.17 As identified under Policy GB2 (Green Belt Settlements) it can be argued that the site falls within the "defined village of Todds Green" which is washed over by Green Belt. The supporting text to this policy states that there are exceptions to building in the Green Belt, which includes limited infilling in villages and the partial or complete redevelopment of brownfield sites. Furthermore, this supporting text identifies Todds Green as one of the broad locations where aspirational homes would be appropriate. Policy HO9 of the Local Plan (2019) states that aspirational houses are low density detached dwellings with four bedrooms and two bathrooms, sited on larger plots with a built footprint in excess of 100sqm and has a rear garden area of at least 200sqm. Whilst 11 of the dwellings only contain 3 bedrooms, they meet the remaining requirements of size and garden size to be considered larger than standard housing and therefore would be more aspirational.

Amount

- 7.2.18 In terms of the quantifiable amount of development proposed, figures have been provided on the existing and proposed building footprints, hardstanding and soft landscaping areas including gardens and wild meadow, which are detailed below:

	Existing sq.m	Proposed sq.m	Difference sq.m	Change as %
Footprint	2,542.25	1,400	-1,142.25	-45%
Floor Space	2,542.25	2,802.045	+260	+10%
Hardstanding/Road	4,578.00	3,016	-1,562	-34%
Soft Landscaping	No information	12,041	n/a	n/a
Other*	No information	1,461	n/a	n/a

* pump compound, access track to pumps, linking path to railway bridge

- 7.2.19 As can be seen from these figures, the proposed footprint of the development would be substantially smaller than the existing buildings occupy. Whilst the proposed dwellings would be 2.5 storey in height compared to the predominantly single storey existing buildings, the increase in floor space generated is only 10%. Overall, the development would see a substantial decrease in the number of buildings across the site, resulting in a more open site, and the resultant 2.5 storey dwellings would not substantially increase the overall volume of built form on the site.
- 7.2.20 Whilst the scheme would see an increase in volume of built form, the site layout has been designed to consolidate this built form as much as possible by clustering the dwellings where the existing built form is sited. This goes some way in keeping the sprawl of built form to a minimum and reducing visual impact on Green Belt openness. An increase of approximately 11% volume is not significant and from a purely quantitative perspective could not be considered to result in substantial harm. However, the impact of volume increase is also relevant to the visual assessment of Green Belt openness, which shall be assessed shortly.

- 7.2.21 The scheme would also see a significant reduction in the total amount of hard standing and the existing footprint of built form within the site. Some of this hard standing would be given over to residential gardens, and a large wild flower meadow would be created at the northern end of the site. This overall reduction is considered to be a positive intervention that would not therefore result in substantial harm.

Intensification of Use

- 7.2.22 In terms of intensification of use, the existing use as a commercial equestrian stables is considered to result in a moderate amount of movements to and from the site with limited intensity of activities.
- 7.2.23 The proposed scheme would see an intensification of use, with 17 dwellings resulting in an estimated 83 two-way movements per day as stated in the submitted Transport Statement. The Transport Assessment calculates that the existing use generates 51 two-way movements per day. The proposal is therefore likely to result in a daily increase of 32 two-way vehicle trips with a perceived intensity of use as a result. This would give rise to a moderate amount of harm to the Green Belt.

Visual Impact on the Green Belt

- 7.2.24 The assessment now turns to the visual impact on Green Belt openness, with particular regard to the increased volume and impact on views through the site. Assessments of impact on Green Belt openness are a matter of planning judgement.
- 7.2.25 As previously noted, there would be approximately 11% increase in built form. The proposed dwellings would be arranged around the new residential road. This new road would curve through the site roughly north of the siting of the majority of the existing buildings, whilst 10 of the proposed dwellings would occupy the site of the majority of the existing buildings. The largest building at the north of the site would be replaced with an extensive open area of wild flower meadow.
- 7.2.26 Plots 1-10 would therefore be sited where there is existing volume of built form, though it is acknowledged that the smaller outbuildings are of single storey height and the replacement 2.5 storey dwellings would be taller. It is also noted that plots 11-17 would be sited on areas where there is no existing volume of built form.
- 7.2.27 In terms of impact on views, views through the site from Chantry Lane are very limited due to the dense tree belt that runs along the road to the west of the site and that the site is located behind the dwelling known as The Lodge and the mixed use residential and commercial site of Chantry Farm. This tree belt falls outside of the red line plan so is not within the ownership of the applicant and would not therefore be removed as part of the development. Views of the dwellings would likely be possible from The Lodge and Chantry Farm although their boundaries appear to be bounded with dense, tall hedging.
- 7.2.28 The site would also be visible from the public right of way to the south of the site, leading to Halfpenny Bridge over the mainline railway which runs along the eastern boundary of the site. In this regard, the layout of the site has been designed to allow views through the site towards the wild meadow at the north of the site along the new road. The dwellings have been placed either side of the road so that views from this public vantage point are mostly unobstructed.
- 7.2.29 As previously noted, the site layout goes some way in arranging the built form around the existing buildings, and dwellings would largely be sited on the existing footprint of hard standing. There would be some sprawl of built form on the eastern side of the site due to the siting of plots 11-17, where there are no existing structures. The greatest impact on views through the site would therefore be in this location, whereby the proposed dwellings

would obstruct some views looking north from the public footpath and result in moderate harm to Green Belt openness on part of the site.

- 7.2.30 Having duly considered the quantum of development, intensification of use and visual impact on openness, moderate harm has been identified. The increase in volume is considered to be minor, and there would be a considerable reduction in hard standing and footprint across the site with a substantial amount of landscaping proposed, including the re-landscaping of a large area to the north with a wildflower meadow. The visual impact on Green Belt openness from the public footpath is therefore the main point of concern.
- 7.2.31 As required by Paragraph 149(g) and Policy GB2 of the Local Plan, development would not be inappropriate in the Green Belt when it would not cause substantial harm to the openness of the Green Belt, where development would re-use previously developed land and contribute to meeting an identified affordable housing need. A lower level of harm is therefore acceptable.
- 7.2.32 Taking all the aforementioned into account, it is not considered that the proposed intensification of use and impact on visual openness would result in substantial harm when weighed against the benefits of reduced hard standing, reduced footprint and the positive landscaping interventions proposed. Having regard for the aforementioned assessment of the proposal, the creation of 17 dwellings, which whilst exceeding the 5 dwelling quota under Policy GB2(a), it would accord with that policy in that the development would be on previously developed land. In addition, it has been found to be an acceptable level of infill development which will have a less than substantial impact on the Green Belt. Further it would assist the Council in meeting its HDT and affordable housing targets. Therefore, the development is considered to comply with exception 149(g) and Policy GB2 of the Local Plan and would be acceptable development within the Green Belt.

Assessment in accordance with the Council's Housing Policies

- 7.2.33 Turning to the adopted Local Plan (2019), the site is unallocated and is therefore, regarded as a 'windfall site'. Policy HO5 (windfall sites) stipulates that proposals should not prejudice the Council's ability to deliver residential development on allocated sites, do not overburden existing infrastructure and are on previously developed land or small underused urban sites.
- 7.2.34 As previously stated above, the siting of the proposed dwellings will be on the footprints of the existing buildings and consequently it is considered that the development constitutes development of previously developed, brownfield land. It is important to note that the Council is unable to meet its Housing Delivery Test requirement under the NPPF as set out above and as such there is a presumption in favour of sustainable development towards the requirement to deliver additional housing where great weight must be given.
- 7.2.35 Residential developments on windfall sites must have a good level of access to local facilities. The site is approximately 1.5km to the Sainsbury's supermarket on Hitchin Road. Three secondary schools and two primary schools are within 2km of the site. The historic Old Town is within a 10 minute vehicle journey/30 minute walk and provides a host of facilities for future residents. At present there are no bus routes linking the village of Todds Green with Stevenage town centre, and the closest bus stop is over 1km away at the Lister Hospital. As such, the application site is considered to have a poor level of access to alternative forms of transport to the motor car and only a reasonable level of access to local facilities and education sites. Therefore, the site is not considered to be in a highly sustainable location.
- 7.2.36 Criterion (c) of Policy HO5 states that there should be no detrimental effect on the environment and the surrounding or adjoining properties. This issue will be assessed in

detail in the following sections considering the impact on the character and appearance of the Green Belt and wider area and the impact on neighbouring amenity.

- 7.2.37 Finally, criterion (d) of Policy HO5 of the Local Plan requires proposals not to prejudice the Council's ability to deliver residential development on allocated sites. The site is not located near any allocated housing sites. In this regard, the development is not considered to be contrary to the aforementioned policy.
- 7.2.38 Policy SP2 (Sustainable Developments) states permission will only be granted where proposals can meet a number of criteria. Included in these criteria are the following:
- Deliver homes or jobs that make a positive contribution towards the targets in the Local Plan;
 - Make good use of land and maximise opportunities for brownfield redevelopment within the town;
 - Regenerate areas of the town that are under performing;
 - Provide a mix of homes for all sectors of the community;
 - Improve quality of life and make sure that residents share in the benefits of regeneration;
 - Promote journeys by bus, train, bike and foot and reduce the need to travel;
 - Make high quality buildings and spaces that respect and improve their surroundings;
 - Produce places and spaces that enable people to live a healthy lifestyle; and
 - Protect and improve important open spaces, wildlife sites and habitats
- 7.2.39 Looking at the site itself in terms of its allocation in the Local Plan, it is a brownfield site in use as a riding stables and riding school within the Green Belt and not allocated for development. The proposed development is seeking to erect 11no. three bedroom and 6no. four bedroom detached dwellings with associated access road, car parking, landscaping, footpath connections, infiltration basin and pump station.
- 7.2.40 The proposal fails to meet some of these aforementioned criterion of Policies HO5 and SP2 as the site is not located near to a bus route or the Stevenage train station; the main facilities and services of Stevenage are some distance away; and there are no primary facilities within the village of Todds Green so that future occupiers would likely travel into Stevenage via car.
- 7.2.41 However, under planning permission reference number 19/00123/FPM (Land West of the A1(M) at Todds Green) which was approved in September 2020, the developer of that site agreed to a financial contribution in their legal agreement to provide a new bus stop at their development which would allow Arriva services 8 and 9 to extend into the outer Todds Green area. Whilst the exact location of the new bus stop is not presently known, it will be approximately 600m-800m from the application site which is considerably closer than the present closest stop at around 1km.
- 7.2.42 There are two public Rights of Way close to the site – “Stevenage 086” connects Old Chantry Lane to the footpath on the northern side of Stevenage Road and also connects to “Stevenage 085” which borders the site to the south and connects to the large roundabout at Corey's Mill/Junction 8 of the A1(M). The applicant has included a new footpath link within the site which will connect to these Rights of Way and thus improve cycle and pedestrian access to the site to encourage a modal shift away from the motor vehicle. Each dwelling will have cycle storage facilities in the garages.
- 7.2.43 Accordingly, whilst the existing site could not generally be categorised as being in a sustainable location for non-car modes of transport at present, the improvements to be made together with the new bus stop to be provided by another nearby development, it is considered, on balance, that the site will become more sustainable after completion than at present and would therefore be acceptable in this regard.

- 7.2.44 Further, the owner of the riding stables has confirmed that they will soon cease trading. In this regard, the site is considered a brownfield site and previously developed land, which, through the redevelopment under consideration would regenerate an underperforming area and make good use of, and maximise the use of, a brownfield site. The provision of 17 homes would assist in the meeting of the Local Plan housing targets. Further, the site would provide an off-site contribution of 6 affordable housing units at Dunn Close.
- 7.2.45 Policy SP7 identifies that there is a need to provide 7,600 new homes within Stevenage and this policy allocates 1,950 new homes to be provided elsewhere in the Borough. Taking this into consideration, the proposed development would support the Council's ambition in delivering a number of homes which fall outside the designated sites. Setting aside the impact upon the character and appearance of the area and the amenities of the adjoining properties, which are considered elsewhere in this report, the application is considered to be acceptable in land use policy terms.
- 7.2.46 In respect to Policy HO9 (House types and sizes) of the adopted Local Plan (2019), this seeks to provide a more even mix of housing supply with both smaller dwellings and larger aspirational dwellings. As the proposed development seeks to deliver larger aspirational 3 bed and 4 bed detached dwellings it would accord with this policy.

Loss of the Riding School

- 7.2.47 Paragraph 98 of the NPPF outlines that access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities. Paragraph 98 of the NPPF states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:
- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
 - b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
 - c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use
- 7.2.48 The proposed development will result in the loss of an existing riding school. Policy HC6 (Existing Leisure and Cultural Facilities) seeks to protect leisure and cultural facilities in the Town. However, riding schools are not included in the Council commissioned Sports Facility Assessment (2014) and therefore not protected by this policy. Further, information provided by the owner of the riding school demonstrates there are other riding schools nearby.
- 7.2.49 Given that the existing use is not protected by any Local Plan policies, and that the current owners have provided a statement on their closure due to newer, larger equestrian businesses in the area which they struggle to compete with, the applicant has advised there is no policy basis for undertaking an Equestrian Needs Assessment. It is the officer's belief that this stance is acceptable as it is reasonable to assume that the existing business will cease trading whether this current proposed is granted planning permission or not. Accordingly it is not considered that the failure of the development to proceed will ultimately impact on the existing use.
- 7.2.50 In conclusion, whilst the proposal has been found to currently fail to accord with Policies HO5 and SP2 as it is not considered to be in a sustainable location for non-car modes of transport with adequate access to local facilities, the improvements to be made to pedestrian and cycle links and the proposed new bus stop at a nearby development would significantly improve this situation.
- 7.2.51 Further to the above, and having account of everything discussed in the preceding paragraphs of this report, the proposal is not considered to amount to substantial harm to

the Green Belt and is acceptable under Policy GB2 and would accord with Policies SP7 to deliver new housing, HO8 to deliver affordable housing and HO9 to deliver larger aspirational housing. The proposed development of 17 larger aspirational dwellings would make good use of an existing brownfield site and would help deliver 6 affordable housing units on a Council deliverable site at Dunn Close. As the development is wholly on previously developed brownfield land and has been considered an acceptable level of infilling of the village of Todds Green, very special circumstances do not need to be justified and the benefits of the development through construction jobs and future housing would outweigh the moderate harm to the Green Belt.

- 7.2.52 In addition to the aforementioned, the failure of the Council to meet its HDT and the subsequent presumption in favour of sustainable development is a key material consideration in the assessment of this application. This policy position tilts the planning balance in favour of the application. The provision of 17 aspirational dwellings would have a great economic benefit during the construction phase, and future occupiers would be likely to contribute to local services and facilities, which, as the scheme is for 17 dwellings, and provision of 6 affordable housing units off-site, these benefits would be fairly reasonable and further weigh in favour of the development. Finally, the benefits of the development from a reduction in the amount of hardstanding and footprint across the site together with the substantial amount of landscaping proposed, including an extensive wild flower meadow result in a conclusion that the proposed development is acceptable in land use policy terms and would have a less than substantial impact on the Green Belt.

7.3 Affordable Housing Provision and S106 Contributions

- 7.3.1 Chapter 5 of the NPPF outlines the need for affordable housing (AH) and paragraph 65 suggests a minimum of 10% AH on any major development site. Policy HO7 of the Local Plan stipulates a target level of 25% on previously developed sites. Based on 17 dwellings at this site, this would equate to 4.25 units, rounded up to 5. However, the applicant is providing a 35% provision of 6 units.
- 7.3.2 Policy HO8 of the Local Plan stipulates that of the 25% AH provision, at least 70% should be for rent and the remaining a tenure agreed with the Council's Housing team. The application informs that no Affordable Housing is proposed on site. However, the Council has the application site under an options agreement. Therefore, the affordable housing requirement arising from this site (6 affordable units) could potentially provide off-site affordable housing units at Dunn Close (21/00944/FPM). Given this, and in the event the Council does purchase the application site, the commuted sum payment for this development would fall away and with the site intrinsically linked to Dunn Close. However, if the Council does not purchase the application site, then the affordable housing obligation, i.e. a financial obligation in lieu, would remain.
- 7.3.3 The triggers for dealing with how the affordable housing would be delivered, either through a financial contribution in-lieu or towards the delivery of the development at Dunn Close, would be secured as part of a S.106 legal agreement. At the time of writing this report, the trigger points are suggested to be as follows:
- Not to occupy more than 6 dwellings at the Courtlands site until a minimum of 3 dwellings at the Dunn Close site are fit and ready for occupation; and
 - Not to occupy more than 12 dwellings at the Courtlands site until a minimum of 6 dwellings on the Dunn Close site are fit and ready for occupation.
- 7.3.4 As the site is located within the Green Belt, in order to meet the requirements of Policy GB2, it has been necessary to design the site with fewer but larger aspirational dwellings to reflect the character of Todds Green village. To this end, it would not be appropriate to include smaller affordable housing units. This is considered an acceptable argument and the provision of 6 units exceeds the full 25% AH housing requirement off-site.

- 7.3.5 As mentioned in point 7.3.2 above, it is understood that the Council are seeking to purchase this site with a view to the sale of the dwellings paying for the build out of the Dunn Close scheme. It is therefore proposed that the AH will be secured through a S106 legal agreement which will be tied in with the legal agreement for Dunn Close. Where the Council acquires this site and opts for off-site delivery, the section 106 agreement restricts occupation of the units on the application site, until affordable housing units have been provided at Dunn Close. The section 106 agreement for Dunn Close would secure the use of those units as affordable housing in perpetuity.
- 7.3.6 In the scenario that the Council do not procure this site, the legal agreement will have a fall-back position of securing the equivalent value of 6 units (£350,000.00) as a financial contribution.
- 7.3.7 Financial contributions are also required in line with the Developer Contributions Supplementary Planning Documents (2021). In this regard, only a contribution to be made towards the Local Training Fund if target employment of Stevenage residents is not met as follows:
- £4,000 per number of targeted jobs not filled by Stevenage residents;
 - £2,000 per number of targeted apprenticeships not filled by Stevenage residents or students; and
 - £250 per apprenticeship position as an administrative fee towards the brokerage system to fill apprenticeship positions;
 - If a major development could not provide suitable apprenticeship opportunities due to the quick construction of the development project, and the resultant lack of suitable opportunity to provide apprenticeships, they should pay a lesser fee of £1,000 per number of targeted apprenticeships not created rather than the £2,000 fee.
- 7.3.8 These targets do not add a requirement for additional jobs that would add a financial burden to the developer or contractor. The targets merely add a requirement that a portion of the jobs will be targeted to local residents. The in-lieu payments do not add a significant financial burden to the developer or contractor and will only be required if the developer or contractor does not meet the employment targets.
- 7.3.9 The Developer Contributions SPD (2021) also has a requirement for fees to be paid to cover the monitoring of legal agreements. This covers requesting payments, ensuring transfer and/or expenditure of money and keeping/publishing records of contributions in line with regulations. The Council will seek 2.5% of the value of contributions being monitored with a minimum fee of £750.00 and a cap of £25,000.00. This is considered a fair cost that will reflect the value of the legal agreement and will not affect the viability of a scheme being delivered.
- 7.3.10 The applicant has agreed to pay all monies sought through the signing of a S106 legal agreement.

7.4 Design, Layout and Impact on Visual Amenity

- 7.4.1 In terms of design, Paragraph 130 of the NPPF (2019) stipulates that planning decisions should ensure development functions well and adds to the overall quality of the area, not just in the short term but over the lifetime of the development. It also sets out that development should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping is sympathetic to local character and history, including the surrounding built environment and landscape setting. Paragraph 134 of the NPPF states that "Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design..".
- 7.4.2 Policy SP8 of the adopted Local Plan (2019) requires new development to achieve the highest standards of design and sustainability which can deliver substantial improvements

to the image and quality of the town's built fabric. Policy GD1 of the Local Plan generally requires all forms of development to meet a high standard of design which includes form of built development, elevational treatment and materials along with how the development would integrate with the urban fabric, its relationship between buildings, landscape design and relevant aspects of sustainable design.

- 7.4.3 Policy HO5: windfall sites require residential development on unallocated site to not have a detrimental impact on the environment and on surrounding properties. The Council's Design Guide SPD (2009) generally reflects the aforementioned policies whereby it seeks development to respect surrounding buildings in terms of scale, massing, height and design. As such, it encourages good design as it can enhance the appearance of places.
- 7.4.4 The National Design Guide (2019) which was published by National Government is a material consideration in the determination of planning applications. It sets out that Buildings are an important component of places and proposals for built development are a focus of the development management system. However, good design involves careful attention to other important components of places. These include:
- the context for places and buildings;
 - hard and soft landscape;
 - technical infrastructure – transport, utilities, services such as drainage; and
 - social infrastructure – social, commercial, leisure uses and activities.
- 7.4.5 A well-designed place is unlikely to be achieved by focusing only on the appearance, materials and detailing of buildings. It comes about through making the right choices at all levels, including:
- the layout;
 - the form and scale of buildings;
 - their appearance;
 - landscape;
 - materials; and
 - their detailing.
- 7.4.6 The Guide further iterates that all developments are made up of these components put together in a particular way. As such, the choices made in the design process contribute towards achieving the ten characteristics and shape the character of a place. For reference, these ten characteristics are as follows:-
- Context – enhances the surroundings;
 - Identity – attractive and distinctive;
 - Built form – a coherent pattern of built form;
 - Movement – accessible and easy to move around;
 - Nature – enhanced and optimised;
 - Public spaces – safe, social and inclusive;
 - Uses – mixed and integrated;
 - Homes and buildings – functional, healthy and sustainable;
 - Resources – efficient and resilient;
 - Lifespan – made to last.
- 7.4.7 As detailed under Section 1 of this report, the application site is currently in use as riding stables and a riding school. The site comprises a number of old buildings, some single storey, some two storey, all of varying sizes, materials, colours and degree of wear and tear. Large areas of the site are covered with hardstanding or are bare un-landscaped areas. To the north of the site is an extensive grassed paddock area with a large overhead power pylon with the A602 highway beyond. There are a limited number of small trees within the site although the western site boundary with Old Chantry Lane is heavily landscaped with a dense mature tree belt and to the south of the site is the extensive area of St. Margaret's Wood. To the east of the site is the East Coast Mainline railway. To the

south-west of the site is Chantry Farm which is a mixture of residential and commercial enterprises and the residential site of The Lodge. Further outside the site boundary to the south is the main hamlet of Todds Green which comprises a mixture of residential premises, along with farmsteads and stables; to the north of the A602 is the village of Little Wymondley. The remaining surrounding area is rolling agricultural fields.

- 7.4.8 The application proposes 11no. three bedroom and 6no. four bedroom detached aspirational dwellings with an extensive area of wild flower meadow to the north of the site. The submitted site layout plan (14043-P030-R) indicates a good level of trees and soft landscaping to be retained around the site, and a pump station at the south of the site to be enclosed with fencing.
- 7.4.9 The site would comprise a central road through the centre of site from west to east and then north to south with the dwellings arranged along this road on the southern and eastern side.
- 7.4.10 There are four different housing plans proposed although all the 3 bed dwellings would have an internal floorspace of 153sqm and the 4 bed dwellings would be 185sqm. Concerns were raised at pre-application stage with regard to the number of dwellings (25 units) and the mix of 2, 3 and 4 bed dwellings with a mix of terraced, semi-detached and detached. It was felt that this would represent an over development of the site and the smaller terraced houses would not respect the larger detached style of the adjacent village of Todds Green. Subsequently, following advice from officers, the scheme has been put forward for 17no. larger detached aspirational houses. The dwellings are all 2.5 storey in height which is considered an acceptable height in relation to the surrounding areas.
- 7.4.11 In terms of materials, the following table sets out the details as submitted. The dwellings will be constructed with either Multi-Red facing brick or Multi-Brown facing brick with a combination of clay terracotta roof tiles to the main dwelling and Natural Blue Slate to other roof areas.

	House Types 1a and 1c	House Type 1b	House Type 2a	House Type 2b
Main Roof	Clay terracotta tiles	Blue slate	Clay terracotta tiles	Blue slate
Additional Roofs	Blue slate	Render to dormers	Blue slate	Render to dormers
Walls	Multi-brown facing brick with black horizontal cladding with areas of painted render	Multi-red facing brick with Oyster White horizontal cladding	Multi-brown facing brick with black horizontal cladding	Multi-red facing brick with Oyster White horizontal cladding and areas of white painted render
Windows	White uPVC	White uPVC	White uPVC	White uPVC
Doors	Light wood	Black	Light wood	Black
Rainwater Goods	Black	Black	Black	Black

- 7.4.12 House types 1a, 1b and 1c are the three bedroom units and all have similar internal layouts with a large separate living room at the front of the property and a family room/kitchen at the rear with patio doors into the garden. All have an attached single garage with an office space over which is accessed from the first floor of the house. At first floor there are two double bedrooms each with en-suites and a small landing area to access the main master bedroom on the second floor which also has its own en-suite.
- 7.4.13 House types 2a and 2b are the four bedroom units and have the same internal layout of a large living room at the front of the property with a staggered open plan kitchen and family room at the rear with patio doors opening to the rear garden. All have an attached single

garage with an office space over which is accessed from the first floor of the house. At first floor there are two double bedrooms, one with en-suite bathroom, and a single bedroom. There is also a separate bathroom and a small landing area to the second floor which contains the master bedroom with en-suite bathroom.

- 7.4.14 All house types have the same ridge height of 9m and both house types 2a and 2b have the same ridge height of 8.2m high on the two storey side element. House types 1a, 1b, 1c and 2b all have a dual pitched roof with a gable fronted element to the rear elevation whilst house type 2a has a cross-gable roof design to the main element and dual pitched roof to the two storey side element. All garage roofs are 6.9m high to the ridge with a dual pitched roof and contain one dormer to each of the front and rear elevations.
- 7.4.15 House type 1a has two flat roof dormers to the front roof slope and one flat roof dormer to the front and rear of the garage; house type 1b has two dual pitched dormers to the front elevation and one each to the front and rear of the garage; house types 1c and 2b have one central dual pitched dormer to the front roof slope and one each to the front and rear of the garage and house type 2a only has dual pitched dormers to the garage. Whilst some of the dormer windows are not set down from the main ridge, they have been kept relatively small and, where there are two, they have been vertically aligned with the fenestrations and where there is only one, this has been centrally positioned in the roof slope. Consequently, these windows have been designed to appear proportionate in scale and form within the roof slope and as such, not appear overly dominant in the street scene. At the rear, a single centrally positioned window at second floor would serve either the bathrooms or bedroom depending on internal layout between plots.
- 7.4.16 It is noted that there is diversity in the style and architectural form of the dwellings in the vicinity of the proposal site within Todds Green. The proposed dwellings would be of dark and light facing brick, terracotta clay and blue slate roof tiles and horizontal cladding with rendered elements, incorporating materials that are sympathetic to the history of the site as an agricultural/equestrian usage. Furthermore, the area retains no uniform character in terms of design or materiality and therefore the design of the proposed dwellings would respond well to the rural and agrarian character of the site. Therefore, it is considered that the proposed materiality and design of the dwellings would not appear out of keeping with the immediate surroundings.
- 7.4.17 Given the aforementioned, the overall building heights and variation of architectural detailing on the residential properties combined with the pepper potting of the various properties across the development site would help to add variety and interest in the street scene. In terms of site layout, the residential properties are set out in a linear form following the internal access road with a front-to-front orientation, thereby keeping all rear gardens relatively secluded and private. The properties are well-spaced in large plots as required to be classified as aspirational housing. The property frontages are relatively small, to maximise the rear garden size within in plot. The frontages are shown to be a combination of hardstanding for car parking and soft landscaping which is an acceptable residential public realm.
- 7.4.18 The development has been designed with a clear and legible street network which is highly permeable for pedestrians and cyclists. As the dwellings have their primary frontages orientated towards the road, this helps to clearly define the main streetscape of the development. The buildings have also been orientated to have active frontages and no dead spaces, in order to create a safe pedestrian scaled environment. The public spaces would also be overlooked by residential properties in order to increase natural surveillance.
- 7.4.19 The submitted site layout plan indicates that the existing vegetation on the site will be retained, whilst the main hedgerow landscaping to the front of the site is outside of the applicants ownership so will not be altered, maintaining the screening of the site from Old Chantry Lane. The retained landscaping would be maintained as part of the development

in order to enhance its overall structure. This is crucial in order to minimise the impact of the development on the Green Belt. Full landscaping details will be secured by way of conditions to ensure the development creates an attractive street frontage by softening the appearance of the development as a whole.

- 7.4.20 In terms of the impact on the longer views from Todds Green, the site is well screened by surrounding landscaping and being set back behind Chantry Farm. It is fully appreciated that the development would urbanise an area of established equestrian usage. The extensive wild flower meadow at the north of the site will help off-set the urbanisation and as discussed previously, the built footprint is lower than as existing.
- 7.4.21 Turning to the proposed bin stores, garages, and pump station, these structures are of a limited size and scale against the backdrop of the built form of the development. In addition, these parts of the development have been designed to reflect the overall visual appearance of the dwellings so as to not appear out of character. As such, these elements would have an acceptable appearance as viewed from the public realm.
- 7.4.22 Given the aforementioned assessment, it is considered that the proposed development, combined with its overall benefits, would not substantially harm the longer views from Todds Green or the Green Belt. The development has been designed to a high standard, a clearly defined street layout and high quality areas of green infrastructure. The dwellings themselves, due to the variation of architectural design and being pepper potted across the development with varying widths, helps to add variety and interest into the architectural form.

7.5 Impact on Amenities of Neighbouring Properties

- 7.5.1 In regards to the impact of the proposed development on the nearest residential properties within Todds Green, the nearest property to the development site are the newly constructed Todds Manor and The Little Burrow which are sited off the main access road of Old Chantry Lane and will be opposite plot 1. They will have a front to front orientation and Todds Manor, the closest of the two, will be approximately 22m from the dwelling in Plot 1. The Little Burrow is positioned further back and would be approximately 37m away with the same front to front separation distance. The adopted Design Guide (2009) does not have a minimum separation distance for front to front orientations, however, 22m and 37m are considered an acceptable distance such that it is unlikely there would be an adverse impact from overlooking.
- 7.5.2 The only other two residential dwellings in the vicinity are The Lodge and Chantry Farm, which again are sited off the same access road of Old Chantry Lane. The Lodge is sited to the south of plots 1-4 and these plots would have their rear elevation facing the side of The Lodge and its rear garden. The separation distances range from 30m with Plot 1 to 40m with Plot 4. Further, plots 5-8 would face over the rear garden of this neighbouring property, although their views would be over the extended curtilage of Chantry Farm which wraps around the rear of The Lodge. Plots 5-8 range between 53m and 78m from the property. The Design Guide (2009) requires a minimum back to side separation distance of 15m and a minimum back to back separation distance of 25m. In this regard, it is considered that the proposed dwellings are sited a sufficient distance from this property such that there would be no loss of privacy or detriment incurred from overlooking.
- 7.5.3 Chantry Farm is sited to the rear of plots 8-10 and would have a back to back orientation. These plots range from 81m to 85m from the rear of the property which again is considered a suitable distance such that no detrimental impact would occur to privacy or from overlooking.
- 7.5.4 With regards to impacts from construction noise, vibration and air quality, in order to reduce the level of impact on the amenities of the nearest residential properties, a condition would

be imposed to restrict the hours of construction on-site. In addition, a condition would be imposed requiring the applicant to provide a detailed Construction Management Plan. This will need to set out what mitigation measures will be put in place to control noise levels from various construction activities, mechanisms to deal with vibrations, air quality and dust, light and odour. Therefore, with this condition in place, the Council's Environmental Health Section does not raise any concerns with the proposed development in terms of impact on existing residents.

7.6 Impact upon the future amenity of residents

Private Amenity Spaces

- 7.6.1 In considering a residential scheme of this nature it is also important to ensure that living conditions for any future occupiers are appropriate. Looking at private amenity space, there is a requirement to provide a private garden area of a minimum of 50sqm with a minimum depth of 10m. Under Policy HO9, to qualify as aspirational, the private amenity spaces should be at least 200sq.m.
- 7.6.2 Following an assessment of the proposed development, all of the dwellinghouses across the site would have sufficient private garden areas in accordance with the Council's Guidance as all plots exceed the Council's requirements in terms of both area and length. The depths range between 11m and 23m and the overall sizes range between 250sqm and 370sqm.

Privacy and Outlook

- 7.6.3 Looking at privacy and outlook, Chapter 5 of the Council's Design Guide SPD (2009) sets out that privacy and outlook are important aspects of residential environments. Therefore, the position of dwellings, and the arrangement of rooms and windows, should not create significant overlooking of other dwellings windows or private garden areas, nor should they lead to any overbearing impacts. In this regard, all dwellings have been orientated to face the new road and there would only be angled overlooking between properties which are side by side and no direct overlooking of private amenity spaces.
- 7.6.4 Plots 7-17 would front each other either side of the new road, between 15m and 25m apart. There is no minimum front to front separation distance in the Design Guide. The first and second floors have a mixture of bedrooms and bathrooms at the front of each dwelling whilst the ground floors are living rooms. Whilst the bathrooms would have obscure glazing for privacy, the bedrooms and living rooms would not. However, given the separation distances, it is not considered that there would be a degree of overlooking between properties to such a level that would result in unacceptable harm to privacy.
- 7.6.5 In relation to the provision of public open space, it is noted that the development would provide an extensive wild flower meadow at the north of the site and there would be general open space at the south of the site where the new footpath links are to be created. The Planning statement submitted with the application advises that the meadow will be accessible to the public / residents but is fenced off with only a maintenance access and pedestrian gate provided. This enhancement will assist integrate the proposal into its locale and act as a natural buffer between the dwellings and the paddocks/fields to the north of the site. Smaller communal areas are provided towards the southern end of the site.

Living Standards

- 7.6.6 With regard to the requirements for new residential properties to meet Nationally Described Space Standards as defined by Policy GD1 of the adopted Local Plan (2019), all of the proposed dwellings meet the overall gross internal floor area for three and four bedroom dwellings. The bedrooms in the three bed dwellings all meet the requirements of bedroom

sizes; however in the four bedroom dwellings, the 4th bedroom measures 3.17m long by 2.285m wide with an area of 7.25sqm. The standards state that “in order to provide one bed space, a single bedroom has a floor area of at least 7.5m² and is at least 2.15m wide”, so whilst these bedrooms are 0.25sqm short on floor area, they do exceed the minimum width requirement. As such, on balance, these 4th bedrooms are considered to be acceptable. The internal floorspace measurements are as follows:

	Bedrooms	Persons	Minimum Floorspace	Proposed Floorspace
House Types 1a, 1b and 1c	3	5	99sqm	153.346sqm
House Types 2a and 2b	4	5	103sqm	185.874sqm

Noise Impacts

- 7.6.7 With respect to noise, Policy FP8: Pollution Sensitive Uses stipulates that planning permission for pollution sensitive uses will be granted where they will not be subjected to unacceptably high levels of pollution exposure from either existing, or proposed pollution generating uses. Taking this policy into consideration, it is appreciated the application site does lie in close proximity to existing commercial and industrial premises which currently operate in the immediate area, including Chantry Farm, Shangri-La Farm, The Dog Pack Day Camp and Poly Textiles Ltd. In addition, the site is also bordered by the East Coast Mainline railway to the east of the site. As such, the noise generated from these noise emitting sources could have a detrimental impact on the amenities of future occupiers of the development.
- 7.6.8 The submitted Noise and Vibration Impact Assessment confirms there are 186 train movements between 07:00 and 23:00 and 44 train movements between 23:00 and 07:00. The existing noise climate within the proposed amenity areas for plots 11-17 is 63 dB LAeq; this exceeds the upper guideline value by 8 dB LAeq. The erection of a 2m high acoustic fence along the rear boundaries of plots 11-17 would have a noise reduction of 10dB and will equate to a garden noise level of 53dB which is within the acceptable parameters. The report also makes recommendations for appropriate glazing and ventilation in order to create an appropriate level of protection to future noise sensitive receptors.
- 7.6.9 The report concluded that the calculated levels of vibration are below the acceptable range allowances and therefore no mitigation measures are required in this regard.
- 7.6.10 Given the aforementioned, and following consultation with the Council's Environmental Health Section and Noise Consultant, they have advised that the Noise and Vibration Impact Assessment which has been submitted is considered to be acceptable. They have recommended a number of conditions be imposed on any grant of permission. This is to ensure that the amenities of future residents are protected from nearby noise sources.

7.7 Parking Provision

- 7.7.1 Policy IT5 of the adopted Local Plan (2019) states that planning permission will be granted where proposals comply with the parking standards set out in the plan. The Council's Car Parking Standards SPD (2021) sets out the maximum amount of off-street parking for residential development based on the number of bedrooms. The proposed development would comprise the following accommodation schedule:

- 11no. three bedroom dwellings (2 parking spaces) (11 x 2 = 22);
- 7no. four bedroom dwellings (2.5 parking spaces) (7x 2.5 =17.5)

This gives a total requirement for 39.5 spaces, rounded up to 40.

- 7.7.2 Taking into consideration of the above, there would be a requirement to provide 40 off-street parking spaces. Given the application site is not located within a residential accessibility zone the Council would seek the maximum number of car parking spaces to serve the development in this instance. In terms of parking provision specifically, in order to count as a parking space, they would need to measure 2.4m by 4.8m. In relation to garages, these would need to measure internally 3m by 6m in order to be counted as a parking space.
- 7.7.3 Following an assessment of the proposed development, all dwellings have a single garage and 2 marked spaces, so 3 spaces in total which gives a total provision of 51 spaces. Whilst this is technically an over-provision across the site as a whole, each individual house complies with the standards as a standalone assessment. In this regard, the proposed development broadly aligns with the requirements of the SPD and Policy IT5 of the Local Plan.
- 7.7.4 In regards to the parking bays and garages themselves,, these would all comply with the standards set out in the Council's adopted Parking Standards SPD (2021) as set out in paragraph 7.6.2. As such, all of the designated parking bays for the residential properties would be of a sufficient size to park a motor-vehicle in this instance.
- 7.7.5 The Parking Standards SPD (2021) states that all new car parking should be designed to fulfil a Passive Electrical Vehicle Charging Point standard. This will mean that the underlying infrastructure is provided for connection to the electricity network but it will need to be activated through the installation of a charge point to be used in the future as technologies evolve and uptake increases. The submitted plans do not provide details of this requirement so it is considered acceptable to impose a condition requiring this standard to be met. Further, this SPD requires that at least 20% of all spaces are fitted with an active charging point at point of completion of the development. As no details have been provided at this stage, a condition would be imposed on any decision issued to ensure this is implemented.
- 7.7.6 Turning to visitor parking provision, the Council's Parking Standards SPD (2021) sets out that there is a requirement to provide 0.25 parking spaces per dwelling. This would equate to a requirement of 4 (rounded down from 4.25) parking spaces. The proposed development is seeking to provide visitor parking spaces in two bays on the northern side of the new road, adjacent to the wild flower meadow. Having measured these bays on the submitted site plan, it is our calculation that they can accommodate 3 spaces in one and 4 spaces in the other, so a total of 7 spaces. Whilst this is an over provision, given the edge of town location of the site, this is considered acceptable in this instance.
- 7.7.7 In regards to cycle parking, the Council's Parking Standards SPD stipulates that 3 long-term cycle parking spaces should be provided per three or four bed unit. Given the garage sizes and the plot sizes, it is considered that there is an acceptable level of space at each dwelling to provide secure, lockable cycle storage.
- 7.7.8 Given the aforementioned assessment, there would be sufficient off-street parking to serve the development. In addition, there would be sufficient secure cycle parking provision across the development site in accordance with the Council's Standards.

7.8 Highway Safety

- 7.8.1 The site is accessed from a single entrance point on the western side of the site from Chantry Lane which is designated as a local access road with a 30mph speed limit. The access is a simple priority junction approximately 5m wide with 8m kerb radius which supports two-way traffic and allows for the passing of waste collection vehicles.

- 7.8.2 Hertfordshire County Council (HCC) as Highways Authority have confirmed that the existing vehicle visibility of the junction, at 2.4m by 43m, is acceptable and conforms with the stopping sight distance criteria in Manual for Streets (MfS) and no alterations or planning conditions are necessary in this regard.
- 7.8.3 The applicant has confirmed that the new road within the site would not be adopted by HCC Highways and would be under private management. Stevenage Borough Council (SBC) Highways Engineers have confirmed this is acceptable and raise no objections. They advise that as the road would remain private there would be no requirements to 'police' this road in terms of highway or parking infringements post completion.
- 7.8.4 In relation to vehicle manoeuvrability, the applicant has provided a swept path analysis as part of their Transport Assessment. The plans depicting the swept path analysis display that tracking is accommodated within the site for refuse vehicles, emergency vehicles (ambulance and fire tender) and the average motor car. In terms of accessibility for emergency vehicles, the proposal is within the statutory building regulation distance of 45 metres to all parts of the building from the new road. HCC Highways have studied this swept path analysis and have raised no concerns.
- 7.8.5 With respect to Public Rights of Way (PROW), there are a number of footpath routes within the vicinity of the site; "Stevenage 086" connects Old Chantry Lane to the footpath on the northern side of Stevenage Road and also connects to "Stevenage 085" which borders the site to the south and itself connects to the Corey's Mill interchange at Junction 8 of the A1(M).
- 7.8.6 The proposed development does not seek to alter or impede these existing PROW but does make provision for a new connection at the south of the site to improve pedestrian and cycle access to the site. As such, HCC Highways has recommended an informative be attached if permission were to be granted. This informative will require the applicant to liaise with the County Council's Rights of Way Section to ensure that the routes remain unobstructed, are safe to use (including during the construction phase) and are not deteriorated as a result of development. Any adverse effects to the routes will need to be made good by the applicant and agreed by the County Council.
- 7.8.7 Looking at traffic generation, the applicant's transport consultant has produced a transport assessment which monitored existing site traffic generation using the TRICS (Trip Rate Information Computer System) (7.7.4) database. The site has been classified within TRICS as "07-Leisure-J-Equestrian Centres" within edge of town and freestanding locations in terms of residential development. The outcome of the modelling through TRICS is as follows:

	Existing Two-way trips	Proposed two-way trips	Net Traffic Gain
Morning Peak 0800 - 0900	3	8	5
Evening Peak 1700 - 1800	3	9	6
Daily Total	51	83	32

- 7.8.8 HCC Highways have assessed this data and advise that this increase in trip generation would not have an unreasonable impact on the safety and operation of the adjoining highways and therefore raise no concerns or objections in this regard.
- 7.8.9 At present it is acknowledged that the site is not considered to be in a highly sustainable location. However, the new footpath link will improve pedestrian and cycle routes and under planning permission reference number 19/00123/FPM that developer entered into a section 106 legal agreement to provide a new bus stop outside their site which is

approximately 800m from the site under consideration. Additionally the developer of this nearby site has also agreed to enter a section 278 agreement of the Highways Act 1980 to provide a toucan crossing and footpath widening across the bridge in Fishers Green. These improvements will encourage a modal shift away from the private motor vehicle and increase the sustainability of the development.

- 7.8.10 Turning to construction traffic and associated activities, to ensure these do not prejudice the safety and operation of the highway network, conditions would be imposed if permission were to be granted. These conditions would require the applicant to provide a suitable access road for construction traffic as well as submit a Construction Management Plan. The details of this Management Plan will need to be agreed by the Highways Authority prior to the commencement of development works on site.
- 7.8.11 In summary, subject to the imposition of conditions, the proposed development as advised by Hertfordshire County Council would not have a detrimental impact on the safety and operation of the highway network.

7.9 Trees and Landscaping

- 7.9.1 Policy NH5 of the adopted Local Plan (2019) states that development proposals will be expected to protect and retain individual trees within the development site and should include new planting where appropriate.
- 7.9.2 The development contains 26 small to medium individual and groups of trees and some perimeter hedging. The submitted Arboricultural Impact Assessment (AIA) advises that the overall quality of the trees on site is modest and most are self-seeded or have a poor overall form. Many of the trees are also in close proximity to buildings and have therefore failed to thrive. Using the industry standard BS 5837:2012, ("Trees in Relation to Design, Demolition and Construction - Recommendations" which details the steps that should be taken to ensure that trees are appropriately and successfully retained when development takes place) three trees have been classified Category B and the remaining trees as Category C.
- Category B - trees of moderate quality with an estimated remaining life expectancy of at least 20 years.
 - Category C - trees of low quality with an estimated remaining life expectancy of at least 10 to 20 years, or young trees with a stem diameter below 150mm
- 7.9.3 It is proposed to remove 21 trees, all of which are Category C trees. These trees are all located within the built footprint of the development or located within close proximity to the proposed development such that their long term survival would not be sustainable. Following consultation with the Council's Arboricultural Manager, he has not raised any concerns at the time of writing this report.
- 7.9.4 As the site is adjacent to the East Coast Mainline railway, Network Rail were consulted and advised that it is imperative that planting and landscaping schemes near the railway boundary do not impact on operational railway safety. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary. Any hedge planted adjacent to the railway boundary fencing for screening purposes should be placed so that when fully grown it does not damage the fencing, provide a means of scaling it, or prevent Network Rail from maintaining its boundary fencing. The list of species that are acceptable and unacceptable for planting in proximity to the railway boundary as directed by Network Rail will be added as an informative if planning permission is granted.
- 7.9.5 To the north of the site, and in order to compensate for the trees to be removed, it is proposed to plant an extensive wild flower meadow as shown on the submitted site layout plan 14043-P030-R, which will greatly enhance the visual amenities of the site and the

Green belt and will act as buffer between the site and the retained paddock area and A602 beyond.

- 7.9.6 Whilst the application has not been accompanied by a detailed landscaping strategy, this would be conditioned should permission be granted. In this regard, the Arboricultural Manager, and Network Rail, would be fully consulted to ensure a satisfactory appearance is achieved to enhance the visual amenities of the Green Belt with no detriment to the adjacent Network Rail owned mainline railway.
- 7.9.7 Subject to the submission of a detailed landscaping strategy, the proposed tree works and landscaping scheme are considered acceptable at this time given the trees to be removed are not of significant value. The replacement planting will need to include tree planting along the new road and soft landscaping to dwelling frontages to contribute to creating a verdant setting that would be appropriate in its Green Belt setting. To ensure a satisfactory outcome, suitably worded conditions for the landscaping strategy and future management plans will be imposed on any decision issued if planning permission is granted.

7.10 Ecology, Biodiversity and Protected Species

- 7.10.1 The NPPF and accompanying Planning Practice Guidance requires the Council to achieve measurable net gains in biodiversity at development sites and across the Borough. To achieve a biodiversity net gain, a development must deliver a minimum of 10% net gain post development, when compared with the pre-development baseline. The Council's recently adopted Biodiversity SPD (2021) requires all major and minor applications other than the following exemptions currently suggested by the Government to demonstrate a net gain in biodiversity:
- i. Permitted development;
 - ii. Householder development, including extensions;
 - iii. Nationally significant infrastructure, which falls within scope of the Planning Act 2008;
 - iv. Some brownfield sites with marginal viability and substantial constraints. It is expected that full details to be set out in secondary legislation, but considerations are likely to include where sites contain a high proportion of derelict land and buildings and only a small percentage of the site is undeveloped, land values are significantly lower than average, and the site does not contain any protected habitats; and
 - v. Developments that would not result in measurable loss or degradation of habitat, for instance change of use of or alterations to building
- 7.10.2 The application site is identified as brownfield land and currently comprises of equestrian buildings with associated hardstanding, bare ground and some grazed fields, some trees and shrubs, conifer hedges, hedgerows and scrub. The applicant has undertaken a Preliminary Ecological Study to assess the habitats present within the site and to assess the potential for the site to support protected and notable species.
- 7.10.3 The survey comprised a desk top study from Hertfordshire Biological Records Centre and from the multi-agency Geographical Information for the Countryside (MAGIC) along with Ordnance Survey and Aerial imagery. A field survey was also undertaken along with a Bat Survey and Great Crested Newt Survey.
- 7.10.4 The survey concluded that all areas identified were of low ecological value and the buildings provide unsuitable roosting places for bats. No rare or uncommon wild plant species were identified; the grazed grassland habitats support only common and widespread ruderal species that are typical of disturbed, bare ground. Overall, the site is considered to be poor for invertebrates, as due to the dominance of buildings, hard-standing and disturbed bare ground habitats. There are no specific habitat features, such as wetland, woodland or dead wood, that could offer habitats to invertebrates. There are no ponds or standing waterbodies within the site or close to the site boundaries to provide

habitats for amphibians. The site is not considered to offer suitable habitat to reptiles. Swallows and house sparrows are present and are nesting within the site. Active swallow nests were noted within the stables and house sparrows are suspected to have nested within Building 10 and/or Building 12. A family of young house sparrows were seen on and around these buildings. The grassland habitats are unsuitable for ground-nesting species such as the skylark. No bats or evidence of bats were found during the survey. All of the buildings have been assessed as having negligible bat roost potential as the majority of the buildings have no loft space, and are of simple construction, with no obvious features that bats may use for shelter. No evidence of badgers was noted during the survey. The site is considered to offer poor habitat to hedgehogs, although the garden, hedgerow and areas of scrub may offer some shelter to this species.

- 7.10.5 The proposed development will not result in any impacts on habitats of 'principal importance' and the majority of the habitats (buildings, hard-standing, bare ground and improved grassland) are considered to be of negligible or low ecological value. Loss of the existing garden, some semi-mature trees and scrub is unlikely to result in any ecological impacts beyond the site level.
- 7.10.6 Herts and Middlesex Wildlife Trust have assessed the application and the submitted ecological report and raised no concerns. They requested that, in accordance with the recommendations in the ecological report and to secure an enhancement to biodiversity in accordance with NPPF (2021), integrated bat and bird boxes and hedgehog highways should be conditioned as part of the decision.
- 7.10.7 The Government's release of the Environment Bill foretold of a future legal requirement which will be placed on developers to provide a 10% net gain in biodiversity as part of any development; this has been adopted into the Council's Biodiversity SPD (2021).
- 7.10.8 A Biodiversity Impact Assessment was conducted, using the Biodiversity Metric 3.0. The Biodiversity Metric 3.0 updates and replaces the beta Biodiversity Metric 2.0 (JP029) published in 2019. Biodiversity Metric 3.0 is a biodiversity accounting tool that can be used for the purposes of calculating biodiversity net gain. The calculation ascertains whether the proposals achieve a net gain in biodiversity, calculated as biodiversity units and percentage biodiversity units.
- 7.10.9 The result of the calculation is a net gain in biodiversity, both for habitats and hedgerows. The total net unit change in habitats is +2.13 habitat units and +0.51 hedgerow units whilst the total net % change is +97.61% habitat units and +233.83% hedgerow units. Given these figures, the proposals deliver significant biodiversity net gain and are therefore acceptable in this regard as the requirements of chapter 15 of the NPPF (2021) and the Council's Biodiversity SPD (2021) are considered to be met.

7.11 Impact on the Environment

Contaminated Land

- 7.11.1 The application site currently comprises an equestrian centre with stables, storage units, menagerie and other associated buildings. Therefore, the potential risk for contaminants being identified on the site is very low. However, there is always the potential that contaminants could have found a pathway into the application site.
- 7.11.2 Given the above, if permission was to be granted, a condition should be imposed requiring a watching brief be kept during initial site preparation works to identify any potentially contaminated materials likely to be present. If any contaminants are identified, then further conditions would require the applicant at that point to submit a remediation strategy which has to be approved by the Council. With these conditions in place, they would ensure that

the future health of residents is not detrimentally affected by potential contaminants on the site. It would also help to protect the wider environment.

Groundwater

7.11.3 The site is an area of groundwater sensitivity, being partly within Source Protection Zone 2 (SPZ 2). Therefore, it is recommended that the requirements of the NPPF and Planning Practice Guidance are followed. This means that all risks to ground water and surface waters from contamination need to be identified so that appropriate remedial action can be taken. Therefore, the applicant would be expected to prepare reports and risk assessments in line with the Environment Agency Guidance. In addition, as advised by the Environment Agency, in order to protect groundwater quality from further deterioration:

- No infiltration-based sustainable drainage systems should be constructed on land affected by contamination, as contaminants can remobilise and cause ground pollution;
- Piling, or any other foundation designs using penetrative methods, should not cause preferential pathways for contaminants to migrate to groundwater and cause pollution;
- Decommission of investigative boreholes to ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies, in line with paragraph 170 of the National Planning Policy Framework.

7.11.4 With regards to drainage, the applicant has confirmed in their Flood Risk and Drainage Assessments that the proposed development will seek to infiltrate surface water run-off to the chalk bedrock and a new infiltration basin at the southern end of the site. The base of this infiltration basin will be a minimum of 1m above existing groundwater levels. However, in order to protect ground water from any future infiltration drainage systems, a condition would be imposed to any permission issued.

7.11.5 In the event that infiltration is unfeasible, the alternative drainage strategy is to discharge to the Anglian Water sewer on Chantry Lane. This would involve attenuating surface water into the infiltration basin prior to pumping to the existing outfall. Anglian Water were consulted and required additional information on the proposed downstream defender and to request a condition be imposed to seek an intrusive ground investigation. The applicants subsequently provided the downstream defender information and Phase I and Phase II Environmental Reports. Anglian Water assessed this information and confirmed they were satisfied with the reports and raised no concerns.

Air Quality and Pollution

7.11.6 Policy FP7 of the adopted Local Plan (2019) states that all development proposals should minimise, and where possible, reduce air, water, light and noise pollution. Policy FP8 of the same document stipulates that planning permission for pollution sensitive uses will be granted where they will not be subjected to unacceptably high levels of pollution exposure from either existing, or proposed, pollution generating uses.

7.11.7 Looking at air quality and air pollution specifically, the development is not located within, or in close proximity to, an Air Quality Management Area (AQMA) with the nearest AQMA being located in the district of North Hertfordshire. However, this AQMA is over 3.5km from the application site. In terms of the impact of the development on air quality, dealing firstly with the construction phase of development, it is noted there would be a number of activities which will affect local air quality. These include dust emissions and exhaust emissions from plant, machinery and construction traffic.

7.11.8 In order to mitigate the construction phase, the applicant would need to implement a Dust Management Plan which will include the recording of any complaints and to identify causes

in order to take action. They will also need to plan the site layout to ensure machinery and dust causing activities are located away from receptors as far as possible. During construction, solid barriers or screens should be erected around dusty activities. If permission were to be granted, a condition would be imposed requiring the applicant to submit a detailed construction management plan. This would look in more detail at the routing of construction traffic, location and storage of materials along with further details of site hoardings and location of any wheel washing facilities which would be required. This is to ensure that the development does not result in having a detrimental impact on the amenities of nearby residents or commercial/industrial operators. A condition will be imposed on any decision issued should permission be granted to ensure a suitable and appropriate Dust Management Plan is submitted and approved.

- 7.11.9 In terms of air pollution, an air quality assessment has not been carried out, however the site is rural in nature with no extensive commercial activities in close proximity. Whilst the site borders the railway line and the A602 highway runs to the north of the site, the proposed landscaping measures are considered acceptable to prevent harm to future occupiers by way of air pollution levels. The Council's Environment Health Officers have assessed the application and have not raised any concerns or requested any additional information/reports to be commissioned.

Sustainable Construction and Climate Change

- 7.11.10 Policy FP1 of the adopted Local Plan (2019) stipulates that planning permission will be granted for development that can incorporate measures to address adaptation to climate change. New developments will be encouraged to include measures such as:

- Ways to ensure development is resilient to likely variations in temperature;
- Reducing water consumption to no more than 110 litres per person per day, including external water use;
- Improving energy performance of buildings;
- Reducing energy consumption through efficiency measures;
- Using or producing renewable or low carbon energy from a local source; and
- Contributing towards reducing flood risk through the use of SuDS or other appropriate measures.

- 7.11.11 Whilst no details have been included with the submission of the application, a condition can be used to seek full details of both climate change adaptation measures and energy efficiency details.

7.12 Flood Risk and Drainage Strategy

- 7.12.1 The application site is located within Flood Zone 1 within the Environment Agency's flood risk map. Flood Zone 1 is defined as land having less than a 1 in 100 annual probability of flooding; therefore, all developments are generally directed to Flood Zone 1. Notwithstanding this, the application which has been submitted to the Council is classified as a Major, therefore, in line with the Town and Country Planning (General Development Procedure) (England) Order 2015, the applicant has provided a Sustainable Urban Drainage Strategy.

- 7.12.2 The proposal includes two options for drainage. Option 1 proposes to drain the access road through road gullies to a conveyance swale for part of the access road while the remainder will drain direct to the surface water network. Permeable paving is proposed on driveways/parking areas. A downstream defender is proposed before the infiltration basin with sediment fore bays. The basin will comprise 440m³ of storage. Option 2 proposes the same principles up to the basin where it will instead be an attenuation basin, and a surface water pump after the basin will discharge at 2l/s back up the access road to an existing

combined sewer near the access to the site. This combined sewer will discharge to the Anglian Water foul water sewer between manholes AWMH 9700 and AWMH 9801.

- 7.12.3 Following consultation with Hertfordshire County Council as Lead Local Flood Authority (LLFA), they consider the proposed drainage scheme to be unacceptable. They have advised that infiltration as a primary method of drainage is unacceptable in principle and evidence of on-site BRE Digest 365 Infiltration tests are required, including indication of groundwater levels. They require additional infiltration tests to be carried out.
- 7.12.4 They further advise that the alternative strategy of discharging to Anglian Water sewers is less sustainable and note that Anglian Water noted "a surface water connection to an Anglian Water owned foul sewer is not permitted". However, it should be noted that Anglian Water have assessed the application and the additional Phase I and Phase II Environment Reports and downstream defender information and raised no concerns about this proposed option.
- 7.12.5 At this time, the LLFA advise that a feasible discharge mechanism has not been provided and they would prefer an above ground SuDS management and treatment strategy in place through permeable paving, swale and filter drains. It should be noted that swales and permeable paving have been included in the proposed development.
- 7.12.6 The LLFA comments were received around the same time as the Phase I and Phase II reports were submitted so they were contacted to determine if these additional reports had been taken into account. The officer confirmed that Phase I had but not Phase II although they advised that the Phase II report did not appear to include information regarding infiltration tests.
- 7.12.7 The applicant has advised that additional on-site tests are to be carried out on site w/c 22 November 2021. Once the new information has been received this will be sent back to the LLFA for further consideration.
- 7.12.8 As members are aware, the LLFA are currently under extreme pressures and response times are currently delayed. At the time of drafting this report, the LLFA were re-consulted on the amended drainage strategy and Flood Risk Assessment which sought to address all of the concerns raised. To date, no comments have been provided by the LLFA. Therefore, if the Council was minded to grant planning permission combined with the fact that the Council has to determine applications within a reasonable timeframe as detailed in the NPPF and accompanying Planning Practice Guidance, it is recommended appropriately worded conditions are to be imposed to ensure an acceptable drainage strategy can be delivered as part of this development.
- 7.12.9 In addition to the above, it is also recommended that delegated powers are given to the Assistant Director of Planning and Regulatory in conjunction with the Chairman of the Planning Committee that in the event the LLFA do provide comments on the revised strategy with a suggested list of conditions, then these conditions would be imposed accordingly before any planning permission is issued by the Council. However, if the LLFA raise a substantive objection to the amended drainage strategy which has been submitted and this cannot be resolved, then it is recommended that this application is referred back to the Planning and Development Committee for its decision.
- Waste Disposal
- 7.12.10 Thames Water were consulted and raised no concerns. They requested an informative be added to any decision issued to advise the applicant of the need for a permit from Thames Water to discharge into a Thames Water owned sewer.

Surface and Foul Water

- 7.12.11 If the developer follows the sequential approach to the disposal of surface water then Thames Water have no objections and for foul water they have no objections to the submitted information.

7.13 CIL

- 7.13.1 The Council adopted CIL on 1 April 2020 and the CIL Charging Schedule specifies a payment for new floorspace in line with the following rates (plus appropriate indexation):

Development Type	CIL Rate (£ per square meter)	
	Zone 1: Stevenage Central, Stevenage West Urban Extension and North of Stevenage Extension	Zone 2: Everywhere else
Residential		
Market housing	£40/m ²	£100/m ²
Sheltered housing	£100/m ²	
Extra care housing	£40/m ²	
Retail development	£60/m ²	
All other development	£0/m ²	

- 7.13.2 CIL is a non-negotiable charge. The exact charge will be determined by the Council's CIL officer after an application has been granted in accordance with the CIL Charging Schedule and the Community Infrastructure Levy Regulations 2010 (as amended). Opportunities for relief or exemption from the CIL charge exist and will be taken into account in the calculation of the final CIL charge.

CIL replaces the need for S106 agreements to specify financial and/or land contributions for non-site-specific infrastructure projects. This allows infrastructure to be planned on a borough-wide scale rather than on a site-by-site basis as mitigation against the impacts of individual proposals. A CIL Form 1: Additional Information has been submitted along with the application.

- 7.13.3 With regards to how the CIL monies are spent, the ultimate decision lies with Stevenage Borough Council and the allocation of funding amount of £75,000 or over will rest with the Planning and Development Committee. Service providers who would not receive contributions through the Section 106 agreement for this development, including but not limited to those at Hertfordshire County Council and Stevenage Borough Council, will be able to bid for funding in due course.

7.14 Equalities Impact Statement

- 7.14.1 Consideration has been given to Articles 1 and 8 of the First Protocol of the European Convention on Human Rights. It is not considered that the decision would result in a violation of any person's rights under the Convention.
- 7.14.2 When considering proposals placed before Members it is important that they are fully aware of and have themselves rigorously considered the equalities implications of the decision that they are taking.
- 7.14.3 Rigorous consideration will ensure that proper appreciation of any potential impact of that decision on the Council's obligations under the Public Sector Equalities Duty. As a

minimum this requires decision makers to read and carefully consider the content of any Equalities Impact Assessment (EqIA) produced by officers.

- 7.14.4 The Equalities Act 2010 requires the Council when exercising its functions to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and other conduct prohibited under the Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and (c) foster good relations between persons who share protected characteristics under the Equality Act and persons who do not share it. The protected characteristics under the Equality Act are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief; sex and sexual orientation.
- 7.14.5 It is not considered that the loss of the riding stables and riding school would have an adverse impact on any of the aforementioned protected characteristics or persons as there are other equestrian services available in the area to meet their needs.
- 7.14.6 In terms of inclusive access, in accordance with Policy HO11 (Accessible and Adaptable Housing) of the Local Plan (2019), as this is a major scheme at least 50% of all new dwellings will need to be category 2: accessible and adaptable dwellings. A condition will be imposed on any decision granting planning permission to ensure this is delivered.

7.15 Other Matters

Crime Prevention

- 7.15.1 The Herts Police Crime Prevention Design Advisor (PCPDA) has assessed the application and has raised concerns that the applicant has not made any reference to the NPPF in relation to promoting healthy and safe communities as the development appears to be car reliant. As has been discussed previously in this report, it is the Council's belief that the applicant has made efforts to address the sustainability of the site by way of improving access to the public rights of way. Further, the new bus route and bus stop being provided by another developer in the vicinity will improve the sustainability. Additionally, HCC Highways raised no substantive concerns about the pedestrian and bicycle access at the site.
- 7.15.2 The PCPDA also raised concerns about the bicycle storage being within the garage and not a freestanding secure unit within the garden. In this regard, it is the Council's response that new garages are requested to be 6m long in order to accommodate the parking of a vehicle and additional storage in line with the Council's Parking Provision SPD (2020) and HCC's Manual for Streets. However, a condition will be imposed on the decision if permission is granted to request full details of the cycle storage.
- 7.15.3 Concerns were also raised regarding the location of waste and recycle bins and that no details have been provided to show these receptacles will be stored within secure units. As above, this can be secured by way of a condition.

Waste and Recycling

- 7.15.4 The Design Guide (2009) states, provision should be made within new development for the storage and collection of waste from a site. The current requirements for waste and recycling per household are as follows:-
- Residual Waste - 240 litres;
 - Cans and Plastics - 55 litres;
 - Paper and cardboard - 55 litres;
 - Glass - 20 litres.

The submitted plans show that there is sufficient space adjacent to or behind the garage of each plot to store the required number of receptacles. As such, the development is considered acceptable in this regard.

8. CONCLUSIONS

- 8.1 In summary, the principle of development is considered to be acceptable as it would help the Council to meet its housing requirement over the local plan period. It is not considered that the proposed intensification of use and impact on visual openness would result in substantial harm when weighed against the benefits of reduced hard standing, reduced footprint and the positive landscaping interventions proposed. Having regard for the aforementioned assessment of the proposal, the creation of 17 dwellings, which whilst exceeding the 5 dwelling quota under Policy GB2(a), it would accord with that policy in that the development would be on previously developed land. In addition, it has been found to be an acceptable level of infill development which will have a less than substantial impact on the Green Belt. Further it would assist the Council in meeting its HDT and affordable housing targets. Therefore, the development is considered to comply with exception 149(g) and Policy GB2 of the Local Plan and would be acceptable development within the Green Belt.
- 8.2 In addition to the aforementioned, the failure of the Council to meet its HDT and the subsequent presumption in favour of sustainable development is a key material consideration in the assessment of this application. This policy position tilts the planning balance in favour of the application. The provision of 17 aspirational dwellings would have a great economic benefit during the construction phase, and future occupiers would be likely to contribute to local services and facilities, which, as the scheme is for 17 dwellings, and provision of 6 affordable housing units off-site (or a financial contribution in lieu for 6 units within Stevenage if the Council do not purchase the site), these benefits would be fairly reasonable and further weigh in favour of the development. Finally, the benefits of the development from a reduction in the amount of hardstanding and footprint across the site together with the substantial amount of landscaping proposed, including an extensive wild flower meadow result in a conclusion that the proposed development is acceptable in land use policy terms and would have a less than substantial impact on the Green Belt.
- 8.3 With regards to sustainability, whilst the existing site could not generally be categorised as being in a sustainable location for non-car modes of transport at present, the improvements to be made together with the new bus stop to be provided by another nearby development, it is considered, on balance, that the site will become more sustainable after completion than at present and would therefore be acceptable in this regard. Further, the owner of the riding stables has confirmed that they will soon cease trading. In this regard, the site is considered a brownfield site and previously developed land, which, through the redevelopment under consideration would regenerate an underperforming area and make good use of, and maximise the use of, a brownfield site as encouraged under the NPPF.
- 8.4 In terms of design, the overall building heights and variation of architectural detailing on the residential properties combined with the pepper potting of the various properties across the development site would help to add variety and interest in the street scene. It is considered that the proposed development, combined with its overall benefits, would not substantially harm the longer views from Todds Green or the Green Belt. The development has been designed to a high standard, a clearly defined street layout and high quality areas of green infrastructure. The dwellings themselves, due to the variation of architectural design and being pepper potted across the development with varying widths, helps to add variety and interest into the architectural form.
- 8.5 With regards to impact on residential amenity, due to levels of separation between the application and the residential properties in Todds Green, it is not considered the proposal residential development would harm the amenities of residents in the hamlet of Todds

Green. In relation to the amenities of future residents, all of the residential properties across the development would have acceptable living standards in terms of outlook, privacy, sunlight and daylight, private amenity space, internal floorspace standards and impact from noise. Moreover, whilst the development would result in the loss of the riding school and equestrian usage, it is not deemed to land which is of high quality and it is considered that the overall benefits of the development outweigh this loss.

- 8.6 Looking at the impact on the highway network, the development would not prejudice the safety and operation of the highway network and in relation to parking, the level of parking provided is broadly in accordance with the Council's Standards. Finally, issues relating to contamination, impact on the environment, trees, wildlife, surface water drainage, affordable housing, and development contributions can be satisfactorily addressed through conditions or a S106 legal agreement. Accordingly, it is recommended that planning permission be granted.

9. RECOMMENDATIONS

- 9.1 That planning permission be GRANTED subject to the applicant having first entered into a S.106 agreement to secure/provide contributions towards:-

- A financial contribution in lieu towards the provision of affordable with the Borough of Stevenage, or, in the event the Council purchases the application site, the development would deliver six affordable housing units at Dunn Close;
- Local Training Fund (if no local residents employed in the construction phase;
- Highway works
- Section 106 Monitoring fees.

- 9.2 The final detail of which would be delegated to the Assistant Director of Planning and Regulation in liaison with the Council's appointed solicitor. In addition, the imposition of suitable safeguarding conditions, with authority given to the Assistant Director of Planning and Regulation in consultation with the Chair of Planning Committee, to amend or add to the suggested draft conditions set out in this report, prior to the decision notice being issued, where such amendments or additions would be legally sound and most effectively deliver the development that the Planning Committee has resolved to approve.

- 9.3 That the proposal be subject to the following conditions:-

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: FIG D_3 PUMPING STATION LAYOUT; 14043_P027C LOCATION PLAN; 14043_P030R SITE PLAN; 14043_P031K HOUSE TYPES; 14043_P037B SITE AREAS; 14043_P038A SITE SECTIONS; ID-200-PLAN - EXISTING SITE PLAN; 14043_P035C House Type 2; 14043_P034D House Type 1;
REASON:- For the avoidance of doubt and in the interests of proper planning.
- 2 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON:- To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
- 3 The materials to be used in the construction of the external surfaces of the dwellings hereby permitted shall be as per the approved plans and documents to the satisfaction of the Local Planning Authority unless otherwise agreed in writing by the Local Planning Authority.

REASON:- To ensure the development has an acceptable appearance.

- 4 No development shall take place (including demolition and site clearance) until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority in consultation with the highway authority. Thereafter, the construction of the development shall only be carried out in accordance with the approved Plan.

The Construction Management Plan shall include the following additional matters;

- 1) Construction vehicle numbers, type, routing;
- 2) Access arrangements to the site;
- 3) Traffic management requirements;
- 4) Construction and storage compounds (including areas designated for car parking, loading/unloading and turning areas);
- 5) Siting and details of wheel washing facilities;
- 6) Cleaning of site entrances, site tracks and the adjacent public highway;
- 7) Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
- 8) Provision of sufficient on-site parking prior to commencement of construction activities;
- 9) Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
- 10) where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements.
- 11) Demolition and construction works between the hours of 0730 and 1800 on Mondays to Fridays and between the hours of 0800 and 1300 on Saturdays only (These times relate to works which are audible at the boundary)
- 12) hours of construction operations including times of deliveries and removal of waste;

REASON:- In order to protect highway safety and the amenity of other users of the public highway and rights of way.

- 5 No development shall take place within the development hereby permitted until a detailed Site Waste Management Plan (SWMP) has been submitted to and approved in writing by the Local Planning Authority. The SWMP shall detail how waste materials generated as a result of the proposed demolition and/or construction works will be disposed of, and the level and type of soil to be imported to the site as part of the development.

REASON:- In order to reduce the level of waste generated during the demolition and construction phases of development and to recycle all waste materials where possible.

- 6 Prior to the first occupation of the development hereby permitted the vehicular access shall be provided 5.0 m wide complete with a minimum 8.0 m radius kerb to the southern side of the carriageway and thereafter retained at the position shown on the approved drawing number 14043-P030-R and include a pedestrian link from the development to the existing footway network as shown on drawing 5565 / 002 revision A to the current specification of Hertfordshire County Council and to the local Planning Authority's satisfaction. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

REASON:- To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan.

- 7 Prior to the first occupation of the development hereby permitted, details of secure cycle parking provision and bin storage shall be submitted to and approved in writing by the Local Planning Authority. The secure cycle parking facility shall thereafter be implemented in accordance with the approved details.

REASON:- To ensure there is sufficient secure cycle parking provision in order to encourage a mode shift from the private car.

- 8 Prior to the first occupation of the development hereby permitted the car parking spaces as detailed on Drawing number 14043-P030-R shall be surfaced and marked out or completed as applicable, in accordance with the approved plan and thereafter retained for the sole use of parking for the development hereby permitted.
REASON:- To ensure adequate off-street parking provision is available at all times so that the development does not prejudice the free flow of traffic or the conditions of general safety.
- 9 No development above slab level shall take place until details of the [siting, type and specification of Electric Vehicle Charging Points (EVCPs), the energy sources and the strategy/management plan for supply and maintenance of the EVCPs] shall be submitted to and approved in writing by the Local Planning Authority. All EVCPs shall be installed in accordance with the approved details prior to occupation of each of the units and permanently maintained, and retained, unless otherwise agreed in writing by the Local Planning Authority.
REASON:- In order to provide facilities to charge electric vehicles and to help reduce the impact of vehicle emissions on the local environment.
- 10 No development shall take place (including demolition and site clearance) until a detailed surface water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy should demonstrate the surface water run-off generated up to and including 1 in 100 year + climate change critical storm will not exceed the run-off from the existing site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
- 1) Detailed infiltration tests conducted to BRE Digest 365 standards and geotechnical investigations to confirm the feasibility of discharge via infiltration and groundwater levels on site.
 - 2) Detailed engineered drawings of the proposed SuDS features including cross section drawings, their size, volume, depth and any inlet and outlet features including any connecting pipe runs.
 - 3) Final post-development network calculations for all storm events up to and including the 1 in 100 year + 40% climate change event with half drain down times.
 - 4) Exceedance flow paths for surface water for events greater than the 1 in 100 year including climate change allowance.
 - 5) Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.
- REASON:-** To prevent the increased risk of flooding, both on and off site.
- 11 The development hereby permitted shall be carried out in accordance with the approved surface water drainage assessment in condition 10 and the following mitigation measures:
- 1) Limiting the surface water run-off generated by the critical storm events so that it will not exceed the surface water run-off rate of 2 l/s during the 1 in 100 year event plus 40% climate change event.
 - 2) Providing storage to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event providing a minimum of 440m³ (or such storage volume agreed with the LLFA) of storage volume in attenuation storage within a basin, swales and permeable paving to provide inception storage and water quality benefits.
 - 3) Discharge of surface water from the private network into the Anglian Water surface water sewer, or to the ground if infiltration proven feasible.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

REASON:- To prevent flooding by ensuring the satisfactory disposal and storage of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants.

- 12 Upon completion of the drainage works for the site and in accordance with the timing/phasing arrangement, a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

1. Provision of a complete set of as built drawings for site drainage.
2. Maintenance and operational activities.
3. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.

REASON:- To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

- 13 No development above slab level shall take place until details of measures to address adaptation to climate change and energy efficiency in line with Policy FP1 of the Stevenage Local Plan (2019) and which should exceed the relevant Building Control Regulations have been submitted to and approved in writing by the Local Planning Authority. These measures shall then be implemented and permanently maintained in accordance with the approved details.

REASON:- To ensure the development is adaptable to climate change through provision of energy and water efficiency measures.

- 14 The development hereby permitted shall be carried out in accordance with the ecological mitigation and enhancement measures as detailed in the 'Preliminary Ecological Appraisal August 2021'. This document shall be adhered to at all times during construction, including site clearance works, and during occupation of the development.

REASON:- To ensure protection of the natural environment

- 15 No development shall take place above slab level until details of the 9 integrated swift boxes, 8 integrated bat boxes and hedgehog highways are submitted to and approved in writing by the local planning authority. These features must be integrated into the brickwork of the development and located in the most appropriate locations to ensure occupation. They shall be fully installed prior to occupation and retained as such thereafter.

Reason:- To conserve and enhance biodiversity in accordance with NPPF

- 16 No development shall take place above slab level until there has been submitted to and approved by the Local Planning Authority a scheme of soft and hard landscaping and details of the treatment of all hard surfaces and boundaries. The scheme shall include details of the following:

1. All existing trees and hedgerows on the land and details showing all trees to be removed, or retained;
2. Details of all new planting to take place including species, size, quantity, location and method of planting;
3. Details of all boundary treatments including type, size, positions, heights and materials;
4. Details of any street furniture
5. Details of tree pit designs and root protection measures;
6. Details of all hardsurfacing areas to include type, size and materials;
7. Details of the wild flower meadow

Soft landscaping details will need to take into consideration Network Rail's acceptable and unacceptable planting (see Informative No.8).

REASON:- To ensure a satisfactory appearance for the development

- 17 All planting, seeding and turfing comprised in the approved landscaping details as specified in condition 16 of this approval shall be carried out in the first planting and seeding seasons following the first use of the site or the completion of the development whichever is the sooner.
REASON:- To ensure a satisfactory appearance for the development.
- 18 All hard surfacing and boundary treatments comprised in the approved landscaping details as specified in condition 16 of this approval shall be carried out prior to the first use of the site or the completion of the development, whichever is the sooner.
REASON:- To ensure a satisfactory appearance for the development.
- 19 Any trees or plants comprised within the approved plans or subsequently approved landscaping scheme, which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing by the Local Planning Authority.
REASON:- To ensure a satisfactory appearance for the development.
- 20 No tree shown retained on the approved plans, or subsequently approved landscaping scheme, shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped within five years of the completion of development without the written approval of the Local Planning Authority.
REASON:- To ensure the protection of those trees which should be retained in the interests of visual amenity.
- 21 No development (excluding site clearance) shall take place until a landscape management plan, including long term objective goals, management responsibilities (other than private domestic gardens and/or amenity areas) shall be submitted to and approved in writing by the Local Planning Authority. The landscape management and maintenance plan should be fully coordinated with the ecological management requirements and should include clearly defined details for monitoring of all landscape areas by suitably trained and qualified personnel. The development shall thereafter be carried out in accordance with the approved management plan.
REASON:- To ensure a satisfactory appearance for the development.
- 22 No development, including site clearance, shall commence until the trees shown to be retained on the site, as identified on the approved plans, or subsequently approved landscaping scheme, have been protected by fencing or other means of enclosure in accordance with BS:5837:2012. Such protection shall be maintained until the conclusion of all site and building operations.
REASON:- To ensure that the retained trees are not damaged or otherwise adversely affected during site operations.
- 23 Within the areas to be fenced off in accordance with condition 20, there shall be no stockpiling of any materials or soil, no machinery or other equipment parked or operated, no traffic over the root system, no changes to the soil level, no excavation of trenches, no site huts, no fires lit and no dumping of toxic chemicals will be permitted and no retained trees shall be used for winching purposes.
REASON:- To ensure that the retained trees are not damaged or otherwise adversely affected during site operations.

- 24 All areas of hedges, scrub or similar vegetation where birds may nest which are to be removed as part of the development, are to be cleared outside the bird-nesting season (March - August inclusive) or if clearance during the bird nesting season cannot be reasonably be avoided, a suitably qualified ecologist will check the areas to be removed immediately prior to clearance and advise whether nesting birds are present. If active nests are recorded, no vegetation clearance or other works that may disturb active nests shall proceed until all young have fledged the nest.
REASON:- Nesting birds are protected from disturbance under the Wildlife and Countryside Act 1981 (As amended).
- 25 No development shall take place above slab level until there has been submitted to and approved in writing by the Local Planning Authority in conjunction with Network Rail, details of the treatment of all boundaries including details of any walls, fences, gates or other means of enclosure. The approved boundary treatments shall be completed before the dwellings are occupied.
REASON:- To ensure a satisfactory standard of development in the interests of amenity and that it has an acceptable appearance.
- 26 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 25 which is subject to the approval of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 26.
REASON:- To ensure that the site does not pose any risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is completed.
- 27 In the event that contamination is found at any time when carrying out the approved development that was not previously identified, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historic environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
REASON:- To prevent harm to human health and pollution of the water environment in accordance with Government policy set out in the National Planning Policy Framework.
- 28 In the event that contamination is found at any time when carrying out the approved development that was not previously identified, as required under condition 24, the approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.
REASON:- To prevent harm to human health and pollution of the water environment in accordance with Government policy set out in the National Planning Policy Framework.

- 29 Prior to first occupation of the development hereby permitted details of external lighting to the site shall be submitted to the Local Planning Authority and approved in writing in conjunction with Network Rail. There shall be no other sources of external illumination.
REASON:- To minimise pollution of the environment and to safeguard the safety of the adjacent Network Rail mainline railway.

- 30 On completion, the dwellings shall meet the following criteria, either:
- with windows open for ventilation or
 - with windows closed and with mechanical purge and background ventilation, sufficient to comply with the current Building Regulations.

		Noise Level (dB)
Daytime Noise (07:00 - 23:00)	Inside living areas	< 35 LAeq, (16 hours)
Night-time Noise (23:00 - 07:00)	Inside bedrooms	< 30 LAeq, (8 hours) < 45 L _{Amax} , Fast

Where mechanical purge ventilation is required to achieve the above standards with windows closed, this shall be designed so as to ensure that the ventilation system itself does not produce unacceptable levels of noise within each dwelling. All schemes for ventilation shall comply with the current edition of Approved Document F to the Building Regulations.

REASON:- To protect the amenity of future occupiers of the development

- 31 Prior to the approved development hereby permitted first being brought into use, details of the acoustic fencing including the sound insulation values shall be submitted to and approved in writing by the Local Planning Authority. The details shall be in accordance with the "Noise and Vibration Impact Assessment, Land at Courtlands Riding Stables", Report reference J04467R1, dated 7th September 2021 by Sound Planning Ltd. The development shall thereafter be implemented in accordance with the approved details, and shown to be effective, and shall be retained in accordance with those details thereafter.

REASON:- To safeguard the amenities of nearby noise sensitive properties.

- 32 All windows within the dwellings hereby approved shall be glazed with triple glazing as shown on drawings 14043-P034-D and 14043-P035-C and shall be retained in that form thereafter.

REASON:- To safeguard the amenities of the occupiers of the approved dwellings.

- 33 No development shall take place above slab level until a scheme for the provision of adequate water supplies and fire hydrants, necessary for firefighting purposes at the site, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the scheme has been implemented in accordance with the approved details.

REASON:- To ensure adequate water infrastructure provision is made on site for the local fire service to discharge its statutory firefighting duties.

- 34 No works involving excavations shall be carried until the following has been submitted to and approved in writing by the Local Planning Authority in consultation with Affinity Water:

1. An Intrusive Ground Investigation to identify the current state of the site and appropriate techniques to avoid displacing any shallow contamination to a greater depth.

2. A Risk Assessment identifying both the aquifer and the abstraction point(s) as potential receptor(s) of contamination.
3. A Method Statement detailing the depth and type of excavations to be undertaken including mitigation measures to prevent and/or minimise any potential migration of pollutants to public water supply. Any excavations must be undertaken in accordance with the terms of the approved method statement.

REASON:- To avoid displacing any shallow contamination to a greater depth and to prevent and/or minimise any potential migration of pollutants to a public water supply abstraction which can cause critical abstractions to switch off resulting in the immediate need for water to be sourced from another location, which incurs significant costs and risks of loss of supply during periods of high demand.

- 35 Development shall not commence until a construction methodology has been submitted to and approved in writing by the Local Authority. The construction methodology shall demonstrate consultation with the Asset Protection Project Manager at Network Rail. The development shall thereafter be carried out in accordance with the approved construction methodology unless otherwise agreed in writing by the Local Planning Authority.

REASON:-

- 36 The dwellings hereby permitted shall not be occupied until the proposed accesses for vehicles, pedestrians and cyclists have been constructed as detailed on the approved drawings, the existing footway/verge has been reinstated and the new footway link from the site access south, to Stevenage Road has been completed to the current specification of Hertfordshire County Council and to the Local Planning Authority's satisfaction.

REASON:- In order to protect highway safety and the amenity of other users of the public highway.

- 37 At least 50% of the residential units are Category 2: Accessible and Adaptable dwellings.

REASON:- To ensure the development will meet the increase in demand for accessible and adaptable units for elderly and disabled residents in accordance with Policy HO11 of the Stevenage Borough Local Plan 2011 – 2031 (adopted 2019).

PRO-ACTIVE STATEMENT

- 1 Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

INFORMATIVES

1 Community Infrastructure Levy

Stevenage Borough Council adopted a Community Infrastructure Levy (CIL) Charging Schedule at Full Council on 27 January 2020 and started implementing CIL on 01 April 2020.

This application may be liable for CIL payments and you are advised to contact the CIL Team for clarification with regard to this. If your development is CIL liable, even if you are granted an exemption from the levy, please be advised that it is a requirement under Regulation 67 of The Community Infrastructure Levy Regulations 2010 (as amended) that CIL Form 6 (Commencement Notice) must be completed, returned and acknowledged by Stevenage Borough Council before building works start. Failure to do so will mean you risk losing the right to payment by instalments and a surcharge will be imposed. NB, please note that a Commencement Notice is not required for residential extensions if relief has been granted.

Stevenage's adopted CIL Charging Schedule and further details of CIL can be found on the Council's webpages at www.stevenage.gov.uk/CIL or by contacting the Council's CIL Team at CIL@Stevenage.gov.uk.

2 Building Regulations

To obtain advice regarding current Building Regulations please contact Hertfordshire Building Control Ltd. by emailing us at building.control@hertfordshirebc.co.uk or phoning us on 01438 879990.

To make a building regulations application please apply through our website portal at <https://www.hertfordshirebc.co.uk/contact-us/> payment can be made online or by phoning the above number after the application has been uploaded. Please phone Hertfordshire Building Control for fees guidance on 01438 879990.

Hertfordshire Building Control can also be contacted by post at Hertfordshire Building Control Ltd, 4th Floor, Campus West, Welwyn Garden City, Hertfordshire, AL8 6BX.

Once a building regulations application has been deposited with relevant drawings and fee building work may commence. You will be advised in their acknowledgement letter of the work stages we need to inspect but in most instances these are usually:

- Excavation for foundations
- Damp proof course
- Concrete oversite
- Insulation
- Drains (when laid or tested)
- Floor and Roof construction
- Work relating to fire safety
- Work affecting access and facilities for disabled people
- Completion

Please phone Hertfordshire Building Control on 01438 879990 before 10.00am to ensure a same day inspection (Mon - Fri).

3 Hertfordshire County Council as Highways Authority

Parking and Storage of materials: The applicant is advised that all areas for parking, storage, and delivery of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> or by telephoning 0300 1234047.

- 4 **Hertfordshire County Council as Highways Authority**
Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website:
<http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.
- 5 **Hertfordshire County Council as Highways Authority**
Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.
- 6 **Hertfordshire County Council as Highways Authority**
The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/businessanddeveloper-information/development-management/highways-developmentmanagement.aspx> or by telephoning 0300 1234047.
- 7 **Thames Water**
A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.
- 8 **Network Rail**
It is imperative that planting and landscaping schemes near the railway boundary do not impact on operational railway safety. Where trees and shrubs are to be planted adjacent to boundary, they should be positioned at a minimum distance greater than their height at maturity from the boundary. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary. Any hedge planted adjacent to the railway boundary fencing for screening purposes should be placed so that when fully grown it does not damage the fencing, provide a means of scaling it, or prevent Network Rail from maintaining its boundary fencing. Below is a list of species that are acceptable and unacceptable for planting in proximity to the railway boundary;
Acceptable:

Birch (Betula), Crab Apple (Malus Sylvestris), Field Maple (Acer Campestre), Bird Cherry (Prunus Padus), Wild Pear (Pyrus Communis), Fir Trees - Pines (Pinus), Hawthorn (Cretaeagus), Mountain Ash -Whitebeams (Sorbus), False Acacia (Robinia), Willow Shrubs (Shrubby Salix), Thuja Plicatata "Zebrina".

Not Acceptable:

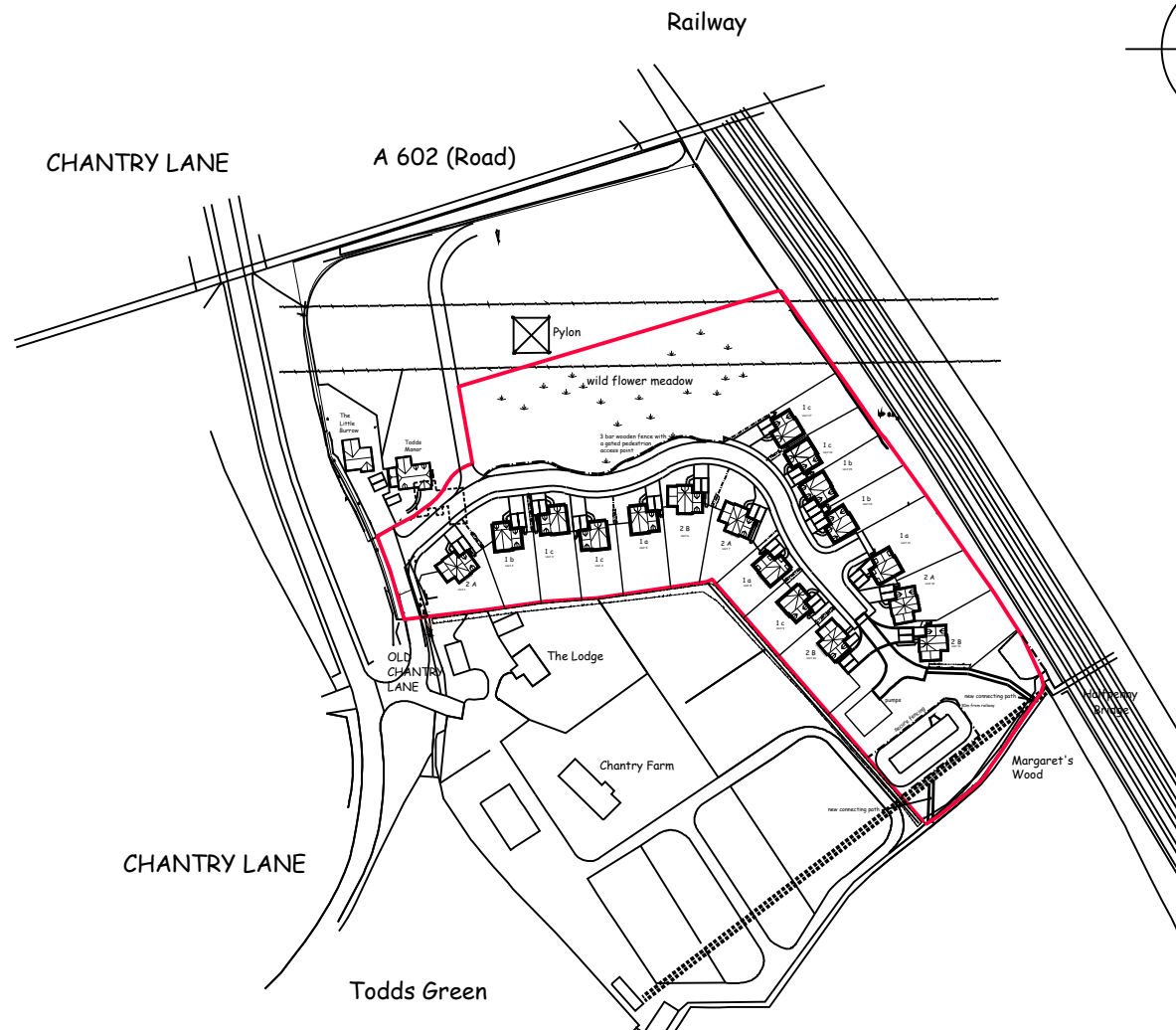
Acer (Acer pseudoplatanus), Aspen - Poplar (Populus), Small-leaved Lime (Tilia Cordata), Sycamore -Norway Maple (Acer), Horse Chestnut (Aesculus Hippocastanum), Sweet Chestnut (Castanea Sativa), Ash (Fraxinus excelsior), Black poplar (Populus nigra var, betulifolia), Lombardy Poplar (Populus nigra var, italica), Large-leaved lime (Tilia platyphyllos), Common lime (Tilia x europea).

9 Herts Police Crime Prevention Design Advisor

Prior to construction the applicant will contact the Hertfordshire Constabulary CPDS with a view to seeking to achieve accreditation to the Police preferred minimum security standard that is Secured by Design. The reason for this is to ensure that the development is compliant with both National and Local Planning Policies, in addition, this will also demonstrate the discharge of obligations under Approved Document 'Q' - Security of Building Regulations".

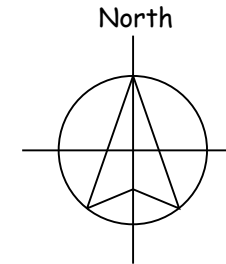
10. BACKGROUND DOCUMENTS

1. The application file, forms, plans and supporting documents having the reference number relating to this item.
2. Stevenage Borough Council Supplementary Planning Documents – Parking Provision adopted January 2020, Stevenage Design Guide adopted October 2009, Developer Contributions adopted March 2021, The Impact of Development on Biodiversity adopted 2021.
3. Stevenage Borough Local Plan 2011 – 2031 adopted 2019.
4. Hertfordshire County Council's Local Transport Plan 4 adopted May 2019.
5. Responses to consultations with statutory undertakers and other interested parties referred to in this report.
6. Central Government advice contained in the National Planning Policy Framework February 2019 and Planning Policy Guidance March 2014.



Location Plan 1:2500 Scale

1:2500	0		50m	100m	200m
1:1250	0		25m	50m	100m
1:500	0	5m	10m	20m	40m
1:200	0	2m	4m	8m	16m
1:100	0	1m	2m	4m	8m
1:50	0	0.5m	1m	2m	4m



1:2500	0	150m	100m	200m
1:1250	0	75m	50m	100m
1:500	0	37.5m	25m	50m
1:200	0	15m	10m	20m
1:100	0	7.5m	5m	10m
1:50	0	3.75m	2.5m	5m

notes:

any discrepancies should be reported immediately

all dimensions should be checked on site prior to commencement of work

site/survey based on ordnance survey information provided by prodact systems plc, (www.prodact.co.uk) prodact does not guarantee that all past or current uses or features will be identified in the product

the product does not give details about the actual state or condition of the site nor should it be used or taken to indicate or exclude actual suitability or unsuitability of the site for any particular purpose, or relied upon for determining suitability or value, or used as a substitute for any physical investigation or inspection.

drawings to be read in accordance with the dwelling emission rate (der/ter) calculation. the building must be built 'as designed' meeting the criteria set for air permeability.

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note when printing off pdf's. it is the responsibility of the user to verify that the resulting prints are to scale on the appropriate sized sheet also that the scale bars on the plan measure correctly.

Aug 21	Updated	BIC
March 21	red line	A
Date	Description	Rev

hps Hertford Planning Service
Architecture & Planning

Westgate House, 37-41 Castle Street,
Hertford, Herts SG14 1HH
Tel: 01992 552173 Fax: 01992 587643
Email: contact@hertfordplanning.co.uk
www.hertfordplanning.co.uk



Description	
Project	Courtlands Stevenage SG1 2JE
Drawing	Location Plan
Date	23/08/2021
Scale	1:2500
Sheet size	A4
Drawn	mRn

14043-P027-C



APPENDIX 6: Appeal Decision Letter and Site Plan Appeal ref.

APP/C1570/W/19/3241822



Appeal Decision

Site visit made on 26 February 2020

by R Sabu BA(Hons) MA BArch PgDip ARB RIBA

an Inspector appointed by the Secretary of State

Decision date: 16th April 2020

Appeal Ref: APP/C1570/W/19/3241822

Land between Green Corners and Silver Birch dwellings, Latchmore Bank, Little Hallingbury, Bishop Stortford, Essex CM22 7PR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Padfield of GH Padfield against the decision of Uttlesford District Council.
 - The application Ref UTT/19/1896/OP, dated 27 July 2019, was refused by notice dated 1 October 2019.
 - The development proposed is 5 new dwellings and garages.
-

Decision

1. The appeal is allowed and planning permission is granted for 5 new dwellings and garages at Land between Green Corners and Silver Birch dwellings, Latchmore Bank, Little Hallingbury, Bishop Stortford, Essex CM22 7PR in accordance with the terms of the application, Ref UTT/19/1896/OP, dated 27 July 2019, subject to the attached Schedule of Conditions.

Procedural Matters

2. The application was submitted in outline and approval was sought only for access with all other matters reserved. I have determined the appeal on this basis.
3. I note the Uttlesford Regulation 19 Local Plan (emerging Local Plan). However, there is no certainty that the policies within it will be adopted in their current form, therefore attached it limited weight.
4. While I note the description of development in the decision notice, I have used the description from the application form, omitting any wording that is not an act of development.

Main Issues

5. The main issues are:
 - the effect of the proposed development on the character and appearance of the area; and
 - whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (Framework) and any relevant development plan policies.

Reasons

Character and appearance

6. Little Hallingbury is a settlement that is largely linear with open countryside beyond. The appeal site is situated near its nucleus where there is a greater amount of built development. However, the site is undeveloped agricultural land that is part of a wider field. As such, it has a closer relationship to the open countryside than to the settlement of Little Hallingbury. While I note that there is built development to the north and south as well as on the other side of the road, given its open, undeveloped nature it reads as part of the wider pleasant countryside, which provides an attractive setting for the village.
7. I acknowledge that the application is in outline, with only access reserved for future consideration. Nevertheless, the proposal for five dwellings would not only involve the erection of houses, but would also be likely to include significant areas of new road, paved driveways and domestic gardens that would substantially alter the landscape character of the area and extend the built-up area of Little Hallingbury into the countryside.
8. The development would not extend further than the approximate rear boundaries of the adjacent properties. Furthermore, while layout, scale and appearance are matters for future consideration, from the indicative plans, it seems likely that the layout of dwellings would roughly echo that of other development in the village in terms of pattern of development. However, the development would nevertheless introduce a significant amount of built development to an undeveloped plot and would therefore adversely affect the rural character and appearance of the area.
9. Consequently, the proposed development would harm the character and appearance of the area. Therefore, it would conflict with LP Policy ENV6 which requires that the change of use of agricultural land to domestic garden would not result in a material change to the character and appearance of the surrounding countryside.
10. However, the harm identified would be limited given the localised and self-contained nature of the site and the close proximity of the site to the centre of the village.
11. Since the application is in outline only, the layout, scale and appearance of the proposal would be matters for future consideration. Therefore, since Policy GEN2 of the Uttlesford Local Plan Adopted January 2005 (LP) concerns design, it is not relevant to this appeal. The site lies outside the settlement boundary of Little Hallingbury. While I acknowledge the reference to windfall sites, LP Policy H3 is not relevant to this proposal as it does not concern developments outside the settlement boundary of the named settlements.

Inappropriateness

12. The appeal site is situated in the Green Belt. Paragraphs 143 and 145 of the Framework indicate that, other than in connection with a small number of exceptions, the construction of new buildings should be regarded as inappropriate in the Green Belt. Limited infilling in villages is one of these exceptions.

13. I acknowledge the Council's comments regarding the interpretation of limited infilling. I am also mindful that limited infilling is not defined within the Framework and from the evidence before me, there is no definition within the Council's development plan. Applying a common sense approach, the term 'limited' does not restrict development to one dwelling. Furthermore, while five dwellings are one more than the four considered by the Inspector in the case at Lydiard Millicent¹, it is neither a large nor unlimited number such that it can be reasonably interpreted as limited.
14. The site is undeveloped agricultural land that is part of a wider field. There is built development to the south of the site and to the north as well as on the other side of Latchmore Bank with further development along the road in both directions. While I acknowledge that a strip of land to the north of the site has been omitted from the planning boundary, this strip is narrow and is visually part of the agricultural field such that the development to the north appears to bound the site. Therefore, while I acknowledge the length of the site, given the proximity to nearby dwellings along the road, it could be considered as limited infilling.
15. Little Hallingbury appears to be a linear village with its nucleus roughly in the area around the appeal site where there is generally a greater amount of development. Accordingly, while the appeal site lies outside the settlement boundary, it appears to be sited within the village.
16. Therefore, the proposal would not be inappropriate development in the Green Belt having regard to the Framework as it would represent limited infilling in a village. Since the proposal constitutes limited infilling in a village, a consideration of Green Belt openness is not necessary.
17. I note the reference to LP Policy S6. The Policy does not relate to developments, such as the appeal proposal, which lie outside of the mentioned settlement boundaries. Therefore, the Policy is not relevant to this appeal, other than to confirm that the area and boundaries of the Metropolitan Green Belt within Uttlesford are defined on the Proposals Map.

Other Matters

18. I acknowledge concerns regarding highway safety. The Council has not objected in this particular regard. From the evidence before me the Highway Authority were consulted and did not comment, however, this in itself is not an objection. Taking into account the drawings, there would be adequate visibility in both directions particularly given that the road is fairly straight. Therefore, given the limited number of houses and the access arrangements proposed, I have no reason to disagree with the Council's position in this respect.
19. I also acknowledge local concerns including those regarding the level of services and facilities within Little Hallingbury, the capacity of the local school, privacy, light and flooding. However, these matters were before the Council when they determined the planning application and they did not object in these respects. From the evidence before me I see no reason to disagree and these matters have not altered my overall decision.

¹ Appeal Ref: APP/Y3940/W/16/3154507

20. I acknowledge the comments of the Inspectors for the cases at Higher Poynton² and Fulbourn³. While both sites were located within the Green Belt, limited further details are before me. I also note concerns regarding the development setting a precedent for future development and that other planning applications for developments in the area have been rejected by the Council. However, each case must be determined on its individual merits and these cases have not altered my overall decision.
21. While I acknowledge the report by Ove Arup in 2016, it does not appear to form part of the adopted development plan and has not altered my overall decision.
22. I also note other local concerns including the effect on views from the surrounding existing properties. However, such matters are not an influential factor on the outcome of this appeal and I have necessarily considered the proposal on its planning merits.

Planning Balance

23. The appellant contends that the Council cannot demonstrate a 5-year housing land supply and can demonstrate only some 3 years housing land supply. As this is uncontested by the Council and given that I have found that the Green Belt policies in the Framework do not provide a strong reason for restricting development in this case, the provisions of paragraph 11d)ii of the Framework are triggered.
24. The proposed development would provide a limited benefit of contribution of five dwellings to the shortfall of housing. There would be temporary economic benefits during the construction phase. While the application is in outline, five dwellings could generate a moderate number of future occupants. Accordingly, the proposal would be likely to give rise to modest benefits in terms of the additional residents supporting local services and community, given the close proximity of the site to the village centre. Therefore, overall, the benefits of the proposal would be modest.
25. LP Policy ENV6 relates to the change of use of agricultural land to domestic garden. Since it relates to the change of use to garden, rather than to residential land including dwellings, the policy is only partially relevant to the appeal proposal. Therefore, given the significant shortfall of housing land supply and the limited harm to character and appearance of the area, the identified conflict with LP Policy ENV6 carries limited weight such that these matters would not significantly and demonstrably outweigh the benefits.

Conditions

26. I have considered the conditions suggested by the Council. I have made some minor changes to these having regard to the tests set out in the Framework and the guidance contained in the Planning Practice Guidance. I have amended some of the wording of the conditions in the interests of precision and clarity.
27. I have attached conditions relating to the submission of reserved matters and the time limits associated with this. I have also included a condition specifying the relevant plans as this provides certainty insofar as it relates to access.

² Appeal Ref: APP/R0660/W/18/3201548

³ Appeal Ref: APP/W0530/W/16/3152824

28. Given the Framework's support of a transition to a low carbon future, the suggested condition regarding electric car charging facilities is necessary.
29. Given the proximity of the site to Stanstead Airport and the provisions of LP Policy ENV10, a condition relating to sound insulation measures is necessary. However, it is not necessary for the condition to be pre-commencement as the works would be unlikely to affect the early stages of construction. I have omitted the reference to a British Standard as there is no such reference in LP Policy ENV10.

Conclusion

30. For the reasons given above the appeal should be allowed.

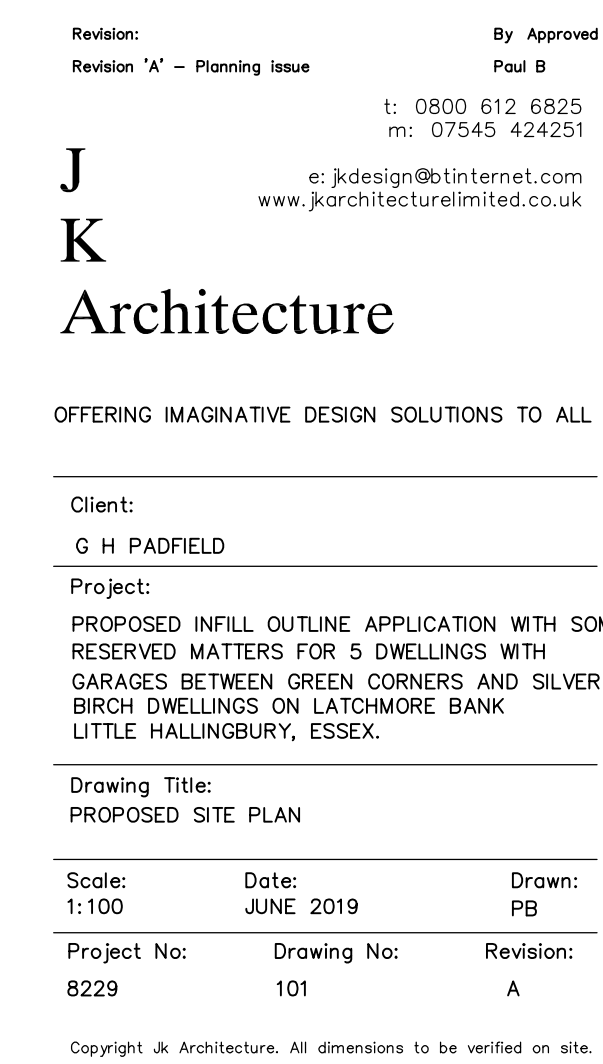
R Sabu

INSPECTOR

Schedule of Conditions

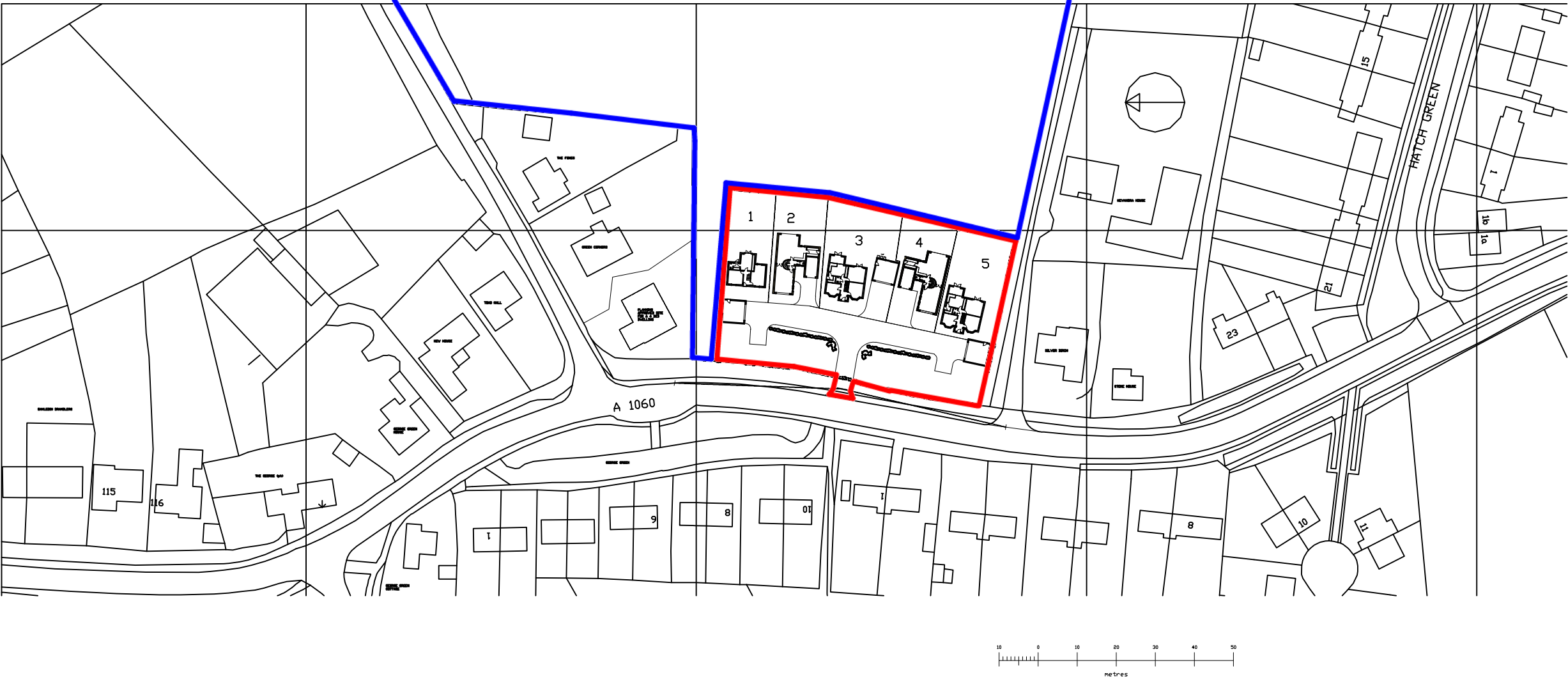
- 1) Details of the appearance, landscaping, layout, and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
- 2) Application for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this permission.
- 3) The development hereby permitted shall take place not later than 2 years from the date of approval of the last of the reserved matters to be approved.
- 4) The development hereby permitted shall be carried out in accordance with the following approved plans insofar as they relate to access: 8229 101 A and 8229 102 A.
- 5) Prior to first occupation of each dwelling hereby permitted, an electric car charging facility shall be installed at the properties and retained as such thereafter.
- 6) Prior to first occupation of the dwellings hereby permitted, a scheme of noise insulation, which shall have previously been submitted to and approved in writing by the local planning authority, shall be implemented at each dwelling and retained as such thereafter. The scheme shall address the layout of noise sensitive areas and/or the provision of insulation measures, and shall demonstrate that suitable noise levels can be achieved.

End of Schedule





BLOCK PLAN. 1:500



LOCATION PLAN. 1:1250

Revision: By Approved
Revision "A" – Planning issue Paul B
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www.jkarchitecturlimited.co.uk

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Client:
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Project:
PROPOSED INFILL OUTLINE APPLICATION WITH SOME
RESERVED MATTERS FOR 5 DWELLINGS WITH
GARAGES BETWEEN GREEN CORNERS AND SILVER
BIRCH DWELLINGS ON LATCHMORE BANK
LITTLE HALLINGBURY, ESSEX.

Drawing Title:
PROPOSED BLOCK AND LOCATION PLANS

Scale: Date: Drawn:
1:500, 1:1250 JUNE 2019 PB

Project No: Drawing No: Revision:
8229 102 A

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Any revisions to the plans or separate specification can only be carried out by Jk Architecture



APPENDIX 7: Appeal Decision Letter and Site Plan Appeal ref.

APP/R0660/W/18/3201548



Appeal Decision

Hearing Held on 4 February 2019

Site visit made on 4 February 2019

by K Ford MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 April 2019

Appeal Ref: APP/R0660/W/18/3201548

Land adjoining Coppice Road, Higher Poynton, Stockport SK12 1SP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr and Mrs Webb against Cheshire East Council.
 - The application Ref 18/0601M, is dated 2 February 2018.
 - The development proposed is erection of 2 detached bungalows, associated access and landscaping works.
-

Decision

1. The appeal is allowed and planning permission is granted for the erection of 2 detached bungalows, associated access and landscaping works at land adjoining Coppice Road, Higher Poynton, Stockport SK12 1SP in accordance with the terms of application Ref 18/0601M, dated 2 February 2018 subject to the conditions in the attached schedule.

Preliminary Matters

2. The Council say that had it been in a position to determine the planning application, it would have refused planning permission on the grounds that it would be inappropriate development in the Green Belt. They also state that the harm caused would not be clearly outweighed by other considerations so as to amount to very special circumstances to justify the development. This has informed my identification of the main issues.
3. The revised National Planning Policy Framework (NPPF) and the Housing Delivery Test measurement have been published since the date of the Hearing. Both main parties have been given the opportunity to comment on any relevant implications for the appeal. I have had regard to any responses and the NPPF in reaching my decision.
4. Objectors of the proposal say that no site notice was posted of the planning application when it was submitted to the Council for consideration. At the Hearing the Council provided photographic evidence that a site notice was posted at the site and that notification letters had been sent to neighbouring properties. I also have a copy of the letter sent to interested parties informing them of the appeal. On the evidence before me I am satisfied that measures were taken to inform local residents of the development proposal.

Main Issues

5. The main issues are:

- Whether the proposal would be appropriate development in the Green Belt having regard to the NPPF and any relevant development plan policies.
- Would the harm, by reason of inappropriateness, and any other harm, be clearly outweighed by other considerations. If so, would this amount to the very special circumstances required to justify the proposal.

Reasons

Inappropriate Development

6. The appeal site is located within the Green Belt. Paragraph 143 of the NPPF states inappropriate development is, by definition harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 145 of the NPPF says the construction of new buildings in the Green Belt should be regarded as inappropriate. Exceptions to this include 'limited infilling in villages'. The terms limited and infilling are not defined in the NPPF.
7. Policy PG3 of the Cheshire East Local Plan Strategy 2010-2030 (CELP) does not support inappropriate development except in very special circumstances, in line with national policy. New buildings are inappropriate development in the Green Belt except, amongst other things, limited infilling in villages.
8. The CELP defines infill development as 'the development of a relatively small gap between existing buildings'. The MBLP defines infill development as 'the filling of a small gap in an otherwise built up frontage (a small gap is one which could be filled by one or 2 houses)'. At the Hearing the Council said that the MBLP provides a more detailed definition than the CELP, and that it does not contradict it. Nonetheless, I consider the MBLP definition to be more limiting than the definition attached to the more up to date policy.
9. At the Hearing the Council stated that what constitutes 'a relatively small gap' is contextual, whilst also referring to the MBLP which indicates that it was a gap that could accommodate 1-2 dwellings. I am also mindful of case law which advises that the physical circumstances of a site and its relationship to a settlement are relevant in considering whether a site should be deemed infill¹.
10. There is agreement between the main parties that the site is situated in a village. The difference between the parties is therefore whether or not the development can be reasonably considered to be infill. The appeal site is an irregular shaped vacant plot with a wide frontage which narrows towards the back of the site, beyond which is open countryside.
11. The site forms a gap between 2 residential dwellings, Birch Trees and Cornhill which are detached single storey properties. Whilst the size of the gap between the dwellings is notable, the proposed width of the 2 plots would be proportionate to neighbouring plots on that side of the road which characteristically are variously orientated and sit further back from the road than the more uniform layout of the higher density ribbon development on the opposite side of the road.

¹ Wood v Secretary of State for Communities and Local government [2014] EWHC 683 (Admin).

12. The 2 proposed dwellings would be positioned between buildings, even though the immediate neighbour, Cornhill stands further back than Hillside to its west and is obscured in view from the road due to vegetation. As acknowledged by the Council, the proposed dwellings would be appropriately located within the gap. Although the site adjoins open countryside at the rear, the development would not extend beyond the curtilages of the neighbouring properties or the agricultural building situated to the south.
13. Reference has been made to a previous appeal decision² to support the Council's case. I note the Inspector's comments about the size of the gap, but their decision was taken in the context of a much bigger development of 9 houses. Each case is determined on its own merits and paragraph 145 of the NPPF does not stipulate a specific size requirement with regards limited infilling in a village. Given the grain of the settlement pattern in that location and the nature of the site and scale of the proposed development, I am of the view that the scheme should be considered as limited infilling in a village. It would therefore not be inappropriate development in the context of paragraph 145 of the NPPF and there would be no conflict with local policy in this regard.

Other Considerations

14. Paragraph 144 of the NPPF states that substantial weight should be given to any harm to the Green Belt and that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm is clearly outweighed by other considerations.
15. The appellants have put forward matters which they consider constitute very special circumstances needed to outweigh harm to the Green Belt. They are disputed by the Council. However, as I have found that there would be no harm to the Green Belt it is not necessary for me to consider the matters in any further detail.

Other Matters

16. The site would be accessed off Coppice Road, a road which objecting residents say is busy in the evenings and at weekends and suffers from high levels of on street parking. I note that the Highways Authority are of the view that the development would not pose a risk to highway safety, subject to the implementation of the scheme in accordance with the submitted plans in terms of access and off street parking provision. Given the small scale of the development, the acceptable proposed access and the provision of off street parking shown on the plans, I have no reason to disagree.
17. I note the concern of neighbouring residents regarding the ability of infrastructure to cope with the additional development, in particular the electricity supply and drainage. At the Hearing the Council said that infrastructure providers do comment on applications where there is concern about the ability of infrastructure to cope. No such representations have been received. It would be incumbent upon the appellant to work with infrastructure providers to ensure appropriate measures are put in place to address the infrastructure implications of the scheme. There is a lack of other substantive evidence which would lead me to draw a different conclusion.

² Appeal Ref: APP/R0660/W/15/3013616.

18. Whilst neighbouring residents referenced flooding in the area in 2016, the site is located in flood zone 1, the lowest risk of flooding. I am satisfied that any flood risk that would be generated by the development in terms of surface water runoff could be dealt with through an appropriately worded condition.
19. I note the mining heritage of the area and the popularity of the countryside setting for recreational purposes. However, I have been provided with limited evidence to indicate that either would be harmed by the development. Based on my observations on the site visit there would only be glimpsed views of the development from surrounding public footpaths. On Coppice Road landscaping would provide adequate screening for the scheme which would be viewed in the context of surrounding development. The Council has found no harm to the character and appearance of the area as a result of the design, height, scale and layout of the proposal. I have no reason to conclude otherwise and as such the development would not be an intrusion into the countryside.
20. Although concern has been raised by objectors that the development would set a dangerous precedent that would damage future opportunities to protect the historic value of the area, I have not identified harm from the development in that regard and as such I have no basis to find it would set a precedent for future harmful development. I consequently attribute this little weight.
21. A coal mining risk assessment has been undertaken, the findings of which require ground investigation work which can be addressed through an appropriately worded planning condition.
22. Reference has been made in objectors' statements to the high number of planning applications in the area which have been refused on grounds of harm to the Green Belt, highways and amenity to support objection to the development. I have limited details of these schemes in which to draw meaningful comparisons with the case before me. In any event, each case is determined on its own merits and my assessment is based on the information before me.

Planning Conditions

23. I have had regard to the conditions suggested by the Council and appellant and these were discussed at the Hearing. In some cases, I requested amendments to be agreed and submitted after the Hearing was closed. In attaching conditions I am mindful of paragraph 55 of the NPPF, which states that they should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. I have assessed the Council's and appellant's suggested conditions on this basis, and have made modifications where necessary in the interests of clarity.
24. In addition to the standard time condition I have imposed a condition specifying the approved plans in the interests of clarity. Ground contamination and soil testing conditions are necessary to prevent risk to the environment and to protect the living conditions of future occupants of the dwellings. A condition relating to surface water management is necessary to prevent an increase in flood risk following the development and to ensure the appropriate management of water. A materials condition is necessary to protect the character and appearance of the area. A condition on the method and timing of pile driving and adherence to the mitigation strategy of the Coal Mining Risk

Assessment is necessary to protect the living conditions of neighbouring and future occupants. A condition requiring the installation of broadband services is justified given the rural location of the development. A condition requiring the provision of electric vehicle infrastructure is justified to encourage the uptake of ultra-low emission vehicles.

25. Conditions 3 and 5 relate to pre-commencement activities. In each case I am satisfied that the conditions are necessary to make the development acceptable in planning terms and that it would have otherwise been necessary to refuse planning permission. The appellant has provided written agreement to the terms of these conditions.
26. The Council has suggested that Permitted Development rights should be taken away to stop any form of alteration or extension to the dwellings without planning permission. However, paragraph 53 of the NPPF advises that conditions should not be used to restrict national Permitted Development rights unless there is clear justification to do so. The Planning Practice Guidance (PPG) also advises that conditions restricting the use of permitted development rights will rarely pass the test of necessity and should be used in exceptional circumstances³. In this case exceptional circumstances have not been demonstrated.

Conclusion

27. For the reasons identified and having regard to all other matters, including the aforementioned concerns of local residents, the appeal is allowed.

K Ford

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Mrs J Gregory MTCP (Hons) MRTPI	Urban Imprint
Mr B Phillips MTCP (Hons) MRTPI	Urban Imprint
Mr A Webb	Appellant

FOR THE LOCAL PLANNING AUTHORITY:

Mr M Keen	Planning Officer, Cheshire East Council
-----------	---

INTERESTED PARTIES:

Mr L Clarke	Poynton Town Council
Miss H Whitaker	Neighbouring Resident

³ ID:21a-017-20140306

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1103.01 Rev D, 1103.02 Rev C, 1103.03 Rev A, 1103.04 Rev A, 1103.04 Rev A, 1103.05, 1103.06 Rev A, 1103.07 Rev A, 1103.08
- 3) Development shall not commence until:
 - (a) A Phase II ground investigation and risk assessment has been completed. A Phase II report shall be submitted to, and approved in writing by, the Local Planning Authority AND:
 - (b) If Phase II ground investigations indicate that remediation is necessary, a Remediation Strategy shall be submitted to, and approved in writing, by the Local Planning Authority.

If remediation is required, prior to the occupation of the development:

 - (c) The remedial scheme in the approved Remediation Strategy shall be carried out.
 - (d) A Validation Report prepared in accordance with the approved Remediation Strategy, shall be submitted to, and approved in writing by, the Local Planning Authority, prior to the occupation of the development.

If, during the course of development, contamination not previously identified is found to be present, no further works shall be undertaken in the affected area and the contamination shall be reported to the Local Planning Authority as soon as reasonably practicable (but within a maximum of 5 days from the find). Prior to further works being carried out in the identified area, a further assessment shall be made and appropriate remediation implemented in accordance with a scheme also agreed in writing by the Local Planning Authority.
- 4) Any soil or soil forming materials to be brought to site for use in garden areas or soft landscaping shall be tested for contamination and suitability for use prior to importation to site. Prior to occupation, evidence and verification information (for example, laboratory certificates) shall be submitted to, and approved in writing by, the Local Planning Authority.
- 5) Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority.

The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly unless otherwise agreed in writing with the Local Planning Authority.

The development shall be completed in accordance with the approved details.

- 6) No development involving the use of any facing or roofing materials shall take place until details or samples of the materials to be used in the construction of external surfaces of the dwelling hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details unless any variation is agreed with the Local Planning Authority.
- 7) Details of the method, timing and duration of any pile driving operations connected with the construction of the development hereby approved shall be approved in writing by the Local Planning Authority prior to such works taking place and shall be implemented in accordance with the approved details.
- 8) The construction of the new dwellings shall be carried out in strict accordance with the proposed mitigation strategy within the Coal Mining Risk Assessment submitted with the planning application.
- 9) Prior to occupation, a scheme for the landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include details of hard landscaping, planting plans, written specifications (including cultivation and other operations associated with tree, shrub, hedge or grass establishment), schedules of plants noting species, plant sizes, the proposed numbers and densities and an implementation programme.

The approved landscaping plan shall be completed in accordance with the following:-

 - a) All hard and soft landscaping works shall be completed in full accordance with the approved scheme, within the first planting season following completion of the development hereby approved, or in accordance with a programme agreed with the Local Planning Authority.
 - b) All trees, shrubs and hedge plants supplied shall comply with the requirements of British Standard 3936, Specification -for Nursery Stock. All pre-planting site preparation, planting and post-planting maintenance works shall be carried out in accordance with the requirements of British Standard 4428(1989) Code of Practice for General Landscape Operations (excluding hard surfaces).
 - c) All new tree plantings shall be positioned in accordance with the requirements of Table A.1 of BS5837:2012 Trees in Relation to Design, Demolition and Construction (Recommendations)
 - d) Any trees, shrubs or hedges planted in accordance with this condition which are removed, die, become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees, shrubs or hedging plants of similar size and species to those originally required to be planted.
- 10) Unless otherwise agreed in writing, neither of the dwellings hereby permitted shall be first occupied until access to broadband services has been provided in accordance with an action plan that has previously been submitted to and approved in writing by the Local Planning Authority.
- 11) Prior to occupation Electric Vehicle Infrastructure to the following specification shall be provided: Overnight EVP for each dwelling (30A independent circuit preferred to allow fast charging capability). The infrastructure shall be maintained and operational in perpetuity.



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0m 20m 40m 60m 80m 100m

Scale: 1:1250, paper size: A4



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Project Title
17-001_P_001_SiteLocationPlan

Job No.
17-001

Client
MR & MRS WEBB

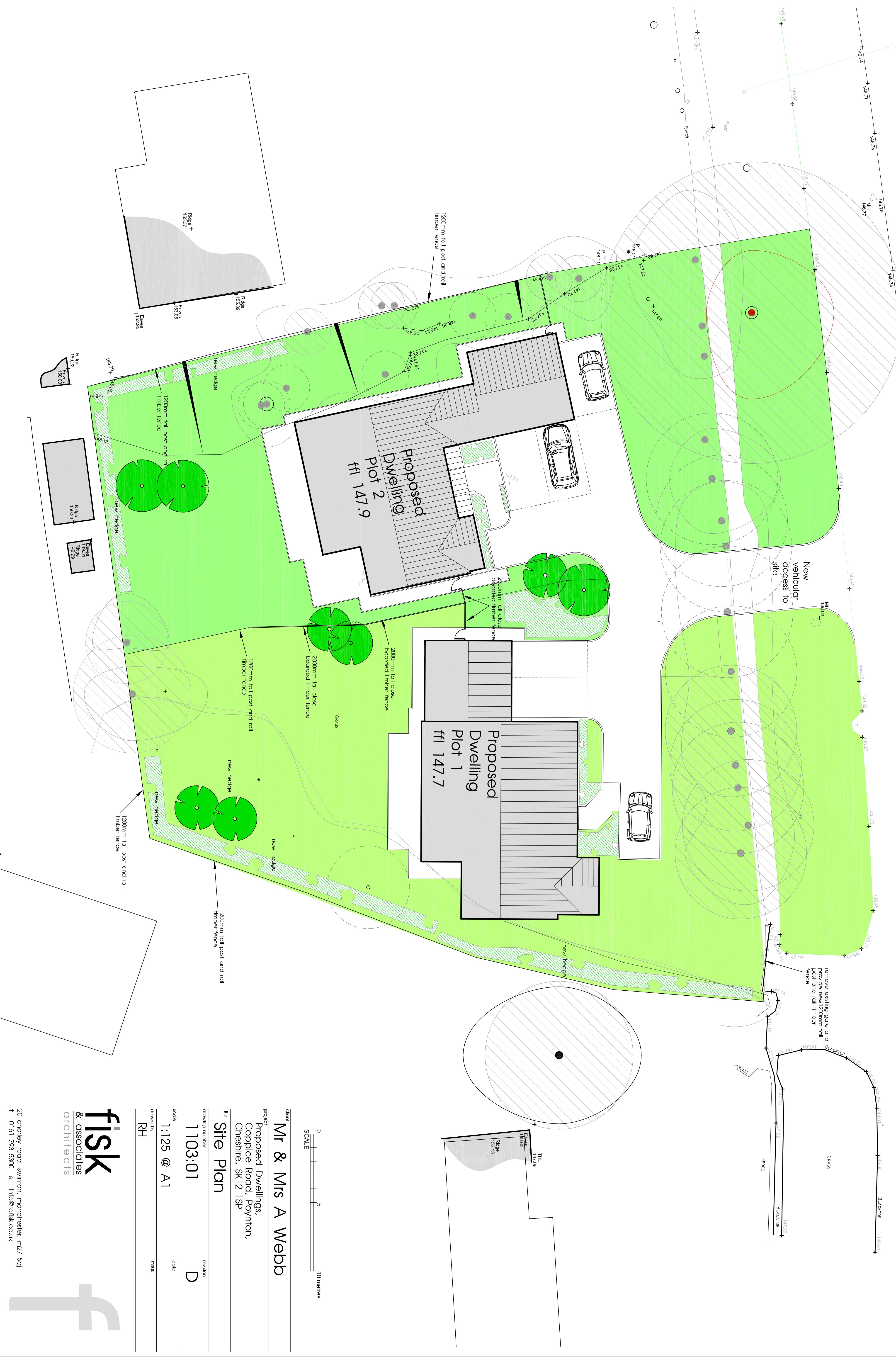
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Drawing Title
Site Location Plan

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- all dimensions to be checked on-site and discrepancies to be reported to the architects

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client
Mr & Mrs A Webb

project
Proposed Dwellings,
Coppice Road, Poynton,
Cheshire, SK12 1SP

title
Site Plan

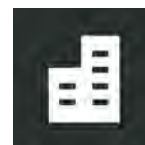
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APPENDIX 8: North Herts Council Five-Year Housing Land Supply Update (May 2024)



Five-Year Housing Land Supply Update

May 2024



**North
Herts**
Council



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1. Introduction

- 1.1 North Herts adopted its Local Plan (NHLP) on 8 November 2022.
- 1.2 Between the date of adoption and 31 October 2023, we were protected by the provision made in paragraph 75 and footnote 40 of the 2021 version of the National Planning Policy Framework (NPPF) which stated that:
'A five year supply of deliverable housing sites, with the appropriate buffer, can be demonstrated where it has been established in a recently adopted plan'
'For the purposes of paragraphs 74b and 75 a plan adopted between 1 May and 31 October will be considered 'recently adopted' until 31 October of the following year; and a plan adopted between 1 November and 30 April will be considered recently adopted until 31 October in the same year'.
- 1.3 In accordance with the provisions set out in paragraphs 76 of the NPPF, published 20 December 2023:
'Local planning authorities are not required to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing for decision making purposes if the following criteria are met:
a) their adopted plan is less than five years old; and
b) that adopted plan identified at least a five year supply of specific, deliverable sites at the time that its examination concluded.'
- 1.4 We meet both criteria a) and b) of the 2023 version of the NPPF, and as such we do not need to identify or update our annual provision of housing land supply when dealing with applications made on or after the date of publication of this version of the framework.
- 1.5 However, for applications that were received prior to 20 December 2023, we should consider whether the supply of deliverable sites is sufficient to provide a minimum of five years' worth of housing for decision making purposes specifically relating to those applications.
- 1.6 This Five-Year Housing Supply Update sets out the Council's position on 31 March 2024 for relevant applications.

2. Five-year housing requirement

- 2.1 Our Local Plan requires us to provide sufficient land in our District between 2011 - 2031 to accommodate a minimum of 13,000¹ dwellings.
- 2.2 Our residential land availability position is monitored on an annual basis and this statement shows the position as of 31st March 2024, having been prepared in accordance with national [Planning Practice Guidance \(PPG\)](#).
- 2.3 The requirement for us to deliver 13,000 dwellings over the 20 years of the Local Plan period sets an annualised housing requirement of 650 dwellings per year.
- 2.4 Following the process as set out in Paragraph 31 of the PPG, we are required to

¹ Stepped trajectory in the [Inspectors Report](#) totals 12,990 dwellings

meet any shortfall against the housing target over the next five years; this is known as the Sedgefield Approach. However, we wished to deal with past under delivery over a longer period and made a case as part of the plan-making and examination process. The Inspector agreed with this approach during the examination, stating:

*'...the Council proposes to use the 'three-stepped approach'...in combination with applying the 'Liverpool' method, spreading the shortfall in delivery since the beginning of the Plan period across the remainder of the Plan period...I am of the firm view that it is the most appropriate in this case and should form the basis for future calculations of the district's five-year housing land supply.'*².

- 2.5 Once this figure is established (annualised housing requirement + any housing target shortfall), a buffer is applied, if appropriate, to account for the result of the most recent Housing Delivery Test (HDT).
- 2.6 Our Policy IMR1: Five Year Housing Land Supply, in the NHLP, sets out our approach to housing delivery in the District, adopting the Liverpool Approach to meet our shortfall over the rest of our Plan period, rather than simply in the next five years.

Policy IMR1: Five Year Housing Land Supply

In order to identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing, we will:

- a) Deliver the total housing requirement of 13,000 net dwellings over the plan period on a stepped basis. The Council's five-year housing land supply will be measured against housing requirement targets of:
 - 350 dwellings per annum for the plan period from 2011 to 31 March 2020;
 - 500 dwellings per annum for the plan period from 1 April 2020 to 31 March 2024; and
 - 1,120 dwellings per annum for the remainder of the plan period from 1 April 2024 to 2031.
- b) Add any shortfall in housing delivery since the plan's start date, spread evenly over the remaining plan period, to the calculation of the requirement;
- c) Ensure that the supply of specific, deliverable sites included a buffer (moved forward from later in the plan period) in line with national planning policy; and
- d) Monitor housing completion and permissions on an ongoing basis to ensure the housing trajectory is based upon robust and up-to-date information and assumptions.

Stepped housing delivery

Liverpool Approach

This buffer requirement has been removed in 2023 NPPF

- 2.7 As such, the annual housing requirement that should be used for calculating our five-year housing land supply is that set out in Policy IMR1: Five Year Housing Land Supply, of our Local Plan:

- 350 dwellings per year from 2011 to 31 March 2020
- 500 dwellings per year from 1 April 2020 to 31 March 2024; and

² Paragraph 113 [Inspectors Report](#)

- 1,120 dwellings per year from 1 April 2024 to 2031.

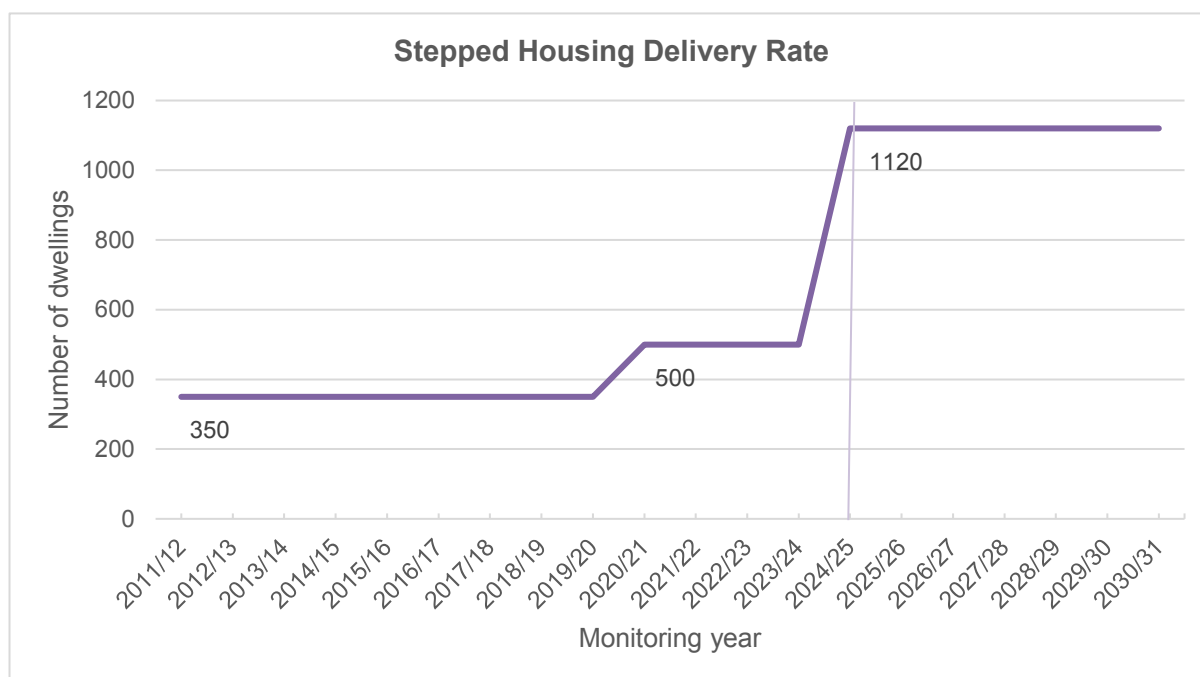


Fig 1 – Stepped housing delivery rate

Annual housing requirement figure

500

Table 1 – Annual housing requirement figure to 31 March 2024

- 2.8 Table 2 shows our cumulative total of net housing completions in the District since the start of the Plan period.
- 2.9 The PPG³ states that any shortfall in housing completions needs to be calculated from the base date of our adopted Local Plan; 1 April 2011. Table 2 shows our shortfall in housing completions since the start of our Plan period.

Monitoring year	Annual net housing completions	Annual housing completion target	Annual net housing surplus/shortfall	Cumulative net housing completions	Cumulative housing completion target	Cumulative net housing surplus/shortfall
2011/12	384	350	34	384	350	34
2012/13	291	350	-59	675	700	-25
2013/14	259	350	-91	934	1,050	-116
2014/15	180	350	-170	1,114	1,400	-286
2015/16	341	350	-9	1,455	1,750	-295
2016/17	539	350	189	1,994	2,100	-106
2017/18	282	350	-68	2,276	2,450	-174
2018/19	220	350	-130	2,496	2,800	-304
2019/20	318	350	-32	2,814	3,150	-336

³ (Paragraph: 031 Reference ID: 68-031-20190722, Revision date: 22 July 2019)

Monitoring year	Annual net housing completions	Annual housing completion target	Annual net housing surplus/shortfall	Cumulative net housing completions	Cumulative housing completion target	Cumulative net housing surplus/shortfall
2020/21	593	500	93	3,407	3,650	-243
2021/22	333	500	-167	3,740	4,150	-410
2022/23	445	500	-55	4,185	4,650	-465
2023/24	425	500	-75	4,610	5,150	-540

Table 2 – Cumulative net housing completions and shortfall in housing provision 2011/12 to 2023/24

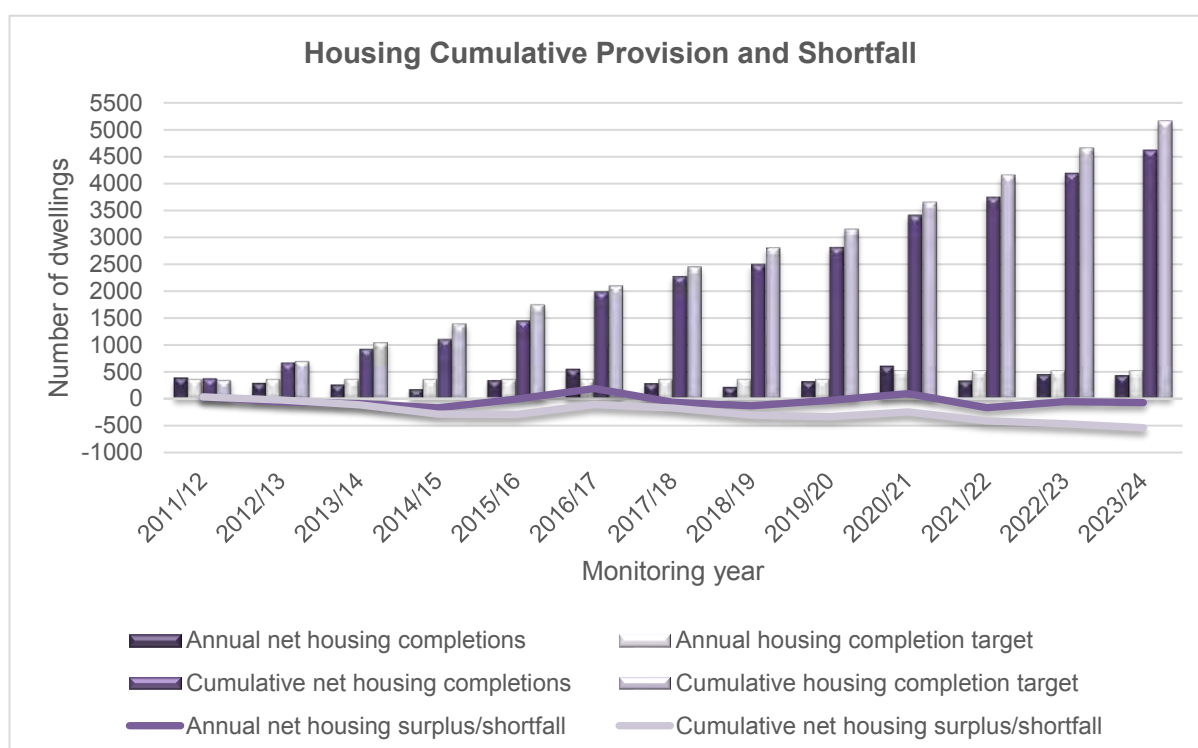


Fig 2 - Cumulative net housing completions and shortfall in housing provision 2011/12 to 2023/24

- 2.10 Table 2 shows that our housing completions have not surpassed the annual requirement since 2020/21; however, our housing undersupply has continued to grow since the beginning of the Plan period.
- 2.11 We are left with an undersupply of 540 dwelling as of 31 March 2024. In line with the Liverpool approach, historic undersupply should be delivered evenly by the end of our Plan period in 2031.

Annualised requirement to provide for historic undersupply of housing using the Liverpool approach (540/7)

78

Table 3 – Annualised requirement for historic undersupply of housing

- 2.12 As discussed in paragraph 77 of the NPPF, where there has been significant under delivery of housing over the previous three years, the supply of specific deliverable

sites should include an additional buffer.

- 2.13 Based on the latest [Housing Delivery Test](#) (HDT) result in 2022, which was delayed until December 2023, North Herts scored 118% and we are, therefore, not required to include a buffer to the supply of deliverable sites.
- 2.14 The HDT is an established assessment of housing delivery over the previous three years. Results of the HDT for every Local Planning Authority (LPA) are published annually on the Governments website. Each LPA faces consequences based on the results of the HDT. The potential consequences are:
- HDT >95% = none
 - HDT <95% = Action Plan
 - HDT <85% = Action Plan + 20% buffer
 - HDT <75% = Action Plan, + 20% buffer and presumption in favour of development
- 2.15 The formula for the HDT calculation is:

$$HDT \% = \frac{\text{Total net homes delivered over three-year period}}{\text{Total number of homes required over three-year period}}$$

Our results for the last published year (2022) are shown in Table 4.

ONS code	Area name	Number of homes required			Number of homes required
		2019/20	2020/21	2021/22	
E07000099	North Hertfordshire	321 ⁴	333 ⁵	500	1,154
Number of homes delivered			Number of homes delivered	Score	Consequence
2019/20	2020/21	2021/22			
433	593	335	1,361	118%	None

Table 4 – HDT score 2022

- 2.16 The requirement for a 5% buffer in calculating the housing land supply to ensure choice and competition in the market for land in the previous NPPF (2021) has been removed in the updated version, published in December 2023 (paragraphs 76 – 78). Therefore, in line with the HDT requirements, we are not subject to any consequence in our housing supply calculations.

⁴ This figure differs from the 350-figure set out in the Local Plan - this includes the Covid-related adjustments applied by Government to the annual target figures. 2019/20 used 11/12ths of the relevant target (i.e. to take account of Covid lockdown in March 2020), $350 \times (11/12) = 321$

⁵ This figure differs from the 350-figure set out in the Local Plan - this includes the Covid-related adjustments applied by Government to the annual target figures. 2020/21 used 8/12ths of the relevant target, $500 \times (8/12) = 333$

2.17 Following the steps above, the total five-year requirement is:

Annual homes requirement from 2024	Annual shortfall (Table 3)	Total annual requirement	Total 5-year requirement
1,120 ⁶	78	1,198	5,990

Table 5 – Five-year housing requirement for North Herts, 2023/24 – 2028/29

3. Deliverable housing supply

3.1 We have identified an annual supply of specific deliverable sites, and we are guided by what is considered a ‘deliverable’ site within Annex 2: Glossary of the NPPF, which states:

‘Deliverable: To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years. In particular:

a) sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans).

b) where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.’

3.2 In addition, [Planning Practice Guidance](#)⁷ gives additional detail to explain what ‘clear evidence’ should be used to demonstrate that sites can be considered deliverable:

‘As well as sites which are considered to be deliverable in principle, this definition also sets out the sites which would require further evidence to be considered deliverable, namely those which:

- have outline planning permission for major development;*
- are allocated in a development plan;*
- have a grant of permission in principle; or*
- are identified on a brownfield register.*

Such evidence, to demonstrate deliverability, may include:

- current planning status – for example, on larger scale sites with outline or hybrid permission how much progress has been made towards approving reserved matters, or whether these link to a planning performance agreement that sets out the timescale for approval of reserved matters applications and discharge of conditions;*
- firm progress being made towards the submission of an application – for example, a written agreement between the local planning authority and the site developer(s) which confirms the developers’ delivery intentions and anticipated start and build-out rates;*

⁶ From 2024/25, the annual housing requirement increases from 500 to 1,120 dwellings per year.

⁷ (Paragraph: 007 Reference ID: 68-007-20190722, Revision date: 22 July 2019)

- *firm progress with site assessment work; or*
- *clear relevant information about site viability, ownership constraints or infrastructure provision, such as successful participation in bids for large- scale infrastructure funding or other similar projects.*

Plan-makers can use the [Housing and Economic Land Availability Assessment](#) in demonstrating the deliverability of sites.'

3.3 The sites that have been identified align with the NPPF and PPG requirements for deliverable housing supply. That is that they are:

- Available now;
- Offer a suitable location for development; and
- Achievable with a realistic prospect that housing will be delivered on the site within 5 years.

3.4 We have set out which sites we consider are deliverable under part (a) of the Annex 2 definition, and those sites that should be considered under part (b) of the Annex 2 definition.

Sites that meet part A of the definition include:

- Sites under construction
- Sites with detailed planning permission
- Sites with prior notification

Sites that meet part B of the definition include:

- Sites with Outline permission/subject to S106
- Deliverable housing sites

In particular:

a) sites which do not involve major development and have planning permission, and all sites with detailed planning permission should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within 5 years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans).

b) where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within 5 years

3.5 The full list of deliverable sites is provided in Appendices A - E which splits the developments into these categories.

Units deliverable withing 5 years		
Part A	Sites under construction	530
	Sites with detailed planning	737
	Sites with Prior Notification	29

Units deliverable withing 5 years		
Part B	Sites with Outline Permission/S106	722
	Deliverable sites	2,254
Total		4,272

Table 6 – Summary of supply of deliverable housing identified 31 March 2024

- 3.6 In addition to the deliverable sites set out above, we include a figure that accounts for any potential windfall sites that may come forward over the Plan period. This figure is in line with the recommendations made in the Local Plan examination. Paragraph 95 of the Inspectors Report states that

‘The...broad location in Letchworth, is identified to deliver 50 homes...I consider this to be a reasonable approach. It would allow a degree of flexibility that would, appropriately in my view, enable and encourage delivery of new homes in the town centre.’

Paragraph 98 states

‘Also within the supply are 440 new houses on small windfall sites, and 257 on large windfall sites. Windfall delivery is planned for in both the first five years of the Plan from adoption and in the remaining years afterwards.’

Monitoring year	Broad Location – Letchworth	Small sites	Large sites	Total	Notes
2022/23		49	29	78	Adoption of Local Plan
2023/24		49	29	78	Numbers not included in 5yhls
2024/25		49	28	77	Numbers not included in 5yhls
2025/26		49	29	78	
2026/27	50	48	28	76	
2027/28		49	29	78	
2028/29		49	28	77	
5YHLS Total (2024/25 – 2028/29)	50	195	114	359	
2029/30		49	29	78	Numbers not included in 5yhls
2030/31		49	28	77	Numbers not included in 5yhls
Final Total	50	440	257	747	Figures align with the Inspectors Report

Table 7 – Total supply of windfall housing identified 31 March 2024

- 3.7 Our projected windfall figures coming forward are considered conservative estimations based on previous windfall delivery since the beginning of the Plan

period in 2011. This is shown in fig 3 which illustrates the number of sites classified 'windfall' through the development management process and as recorded by Hertfordshire County Council.



Fig 3 – Total gross windfall completions since the start of the Plan period

4. Conclusions

- 4.1 Our total requirement for housing delivery from 1 April 2024 – 31 March 2029 in the District is **5,990 dwellings**. This incorporates the objectively assessed housing need annual rate of 1,120 dwellings per year and the annual shortfall of 78 dwellings, totaling 1,198 dwellings per year.

Total supply of deliverable housing identified	31 March 2024
Total number of dwellings under construction	530
Total number of dwellings with detailed planning permission (including -10% for non-implementation of under ten dwellings)	737
Total number of dwellings with prior notification (including -10% for non-implementation of under ten dwellings)	29
Total number of dwellings with outline permission/S106 (including -10% for non-implementation of under ten dwellings)	722
Total number of dwellings for other 'Deliverable' sites	2,254
Total number of dwellings for windfall sites	359
Total identified supply	4,631

Table 8 – Total supply of deliverable housing identified 31 March 2024

- 4.2 Table 6 shows that the **total supply of deliverable housing identified by the Council for that five-year period is 4,631 dwellings.**
- 4.3 We discount 10% for schemes that are granted planning permission and delivering less than 10 dwellings to account for any non-implementation of these smaller schemes.
- 4.4 This means we can demonstrate a deficit of **1,359 dwellings** over the five-year period of 2024/25 – 2028/29.
- 4.5 Table 9 shows that we can demonstrate a five-year land position of **3.9 years** against our adopted housing requirement. This figure falls below the required five-year figure.

Five-year housing supply calculation		
A	Objectively assessed need (dwellings per year)	650 (average)
	a) 2011/12 – 2019/20	350 (total 3,150)
	b) 2020/21 – 2023/24	500 (total 2,000)
	c) 2024/25 – 2030/31	1,120 (total 7,840)
B	Local Plan period (years)	20
C	Adopted housing target 2011 – 2031 (A x B)	12,990
D	Completions 1 April 2011 – 31 March 2024	4,610
E	Target 1 April 2011 – 31 March 2024	5,150
F	Shortfall against target on 31 March 2024 (E – D)	-540
G	Target 1 Apr 2024 – 31 Mar 2029	5,600
H	Surplus / Shortfall to be delivered in 5yr period (F / 7 x 5)	390
I	Buffer to be applied (0% / 20%) based on 2022 HDT consequence	0%
J	Total 5yr requirement ((G - H) + I)	5,990
K	Dwellings for sites under construction	530
L	Dwellings granted permission or prior approval	766
M	Dwellings granted outline permission or subject to S106	722
N	Other dwellings considered 'deliverable'	2,254
O	Dwellings from Windfall sites	359
P	Total deliverable dwellings (supply) 1 Apr 2024 – 31 Mar 2029 (K + L + M + N + O)	4,631
Q	Surplus of dwellings (P – J)	-1,359
R	Total Years Housing Supply ((P / J) x 5)	3.9

Appendix A – Sites under construction

App Ref	Address	Site Total (net)	Units deliverable within five years	Notes
19/02866/RM	Land to the east of Garden Walk and north of Newmarket Road, Garden Walk, Royston	149	79	
19/01244/FP	Odyssey Health Club, Old Knebworth Lane, Knebworth, SG2 8DU	86	64	
18/02722/FP	Land south of Heath Lane, Codicote, SG4 8YL	167	62	
19/01416/HYA	Land at 25-35 John Barker Place and, 1-36 Freemans Close, Hitchin	93	46	
20/03018/FP	Land west of Royston Bypass, Royston	41	41	Care home ratio applied
19/01106/FP	Burford Grange, Bedford Road, Ickleford, SG5 3XG	47	33	
20/03070/FP	Land development site off, Station Road, Ashwell	28	24	
20/00073/FP	North Hertfordshire College, Cambridge Road, Hitchin, SG4 0JD	116	22	
20/00957/FP	20 High Street, Baldock, SG7 6AX	14	14	
19/03064/FP	Draytons Garage, High Street, Barley, SG8 8HT	10	10	
19/01448/FP	Former Wyevale Codicote Garden Centre, High Street, Codicote, SG4 8XA	66	9	
20/00667/FP	Land adjacent to 148 High Street, Kimpton	9	9	
19/02398/FP	Austin House, Queen Street, Hitchin, SG4 9TS	8	8	
22/02180/FP	9 - 15 Hitchin Street, Baldock, SG7 6AL	8	8	
21/02076/FP	Land west of Castlefield, Preston	21	7	
20/01098/FP	The Boot, 73 High Street, Baldock, SG7 6BP	5	6	
22/02037/FP	10 Melbourn Street, Royston, SG8 7BZ	6	6	

App Ref	Address	Site Total (net)	Units deliverable within five years	Notes
21/02432/FP	5 Kneesworth Street, Royston, SG8 5AA	5	5	
22/01850/PNMA	Royston Manor House Yard, Melbourn Street, Royston, SG8 7BZ	4	4	
22/02212/FP	2 Priory Close, Royston, SG8 7DU	3	4	
20/01254/FP	Bibbsworth Hall Farm, Bibbs Hall Lane, Ayot St Lawrence, SG4 8EN	3	3	
21/03043/FP	Little Orchard Nursery, Rabley Heath Road, Welwyn, AL6 9UA	3	3	
22/01410/FP	Downs Barn, Ashwell Road, Bygrave, SG7 5EE	3	3	
15/02769/1PN	8 & 12 Station Road, (first floor 6-12 Station Road), Letchworth Garden City, SG6 3AU	2	2	
18/03348/FP	Vine Cottage, Maydencroft Lane, Gosmore, SG4 7QB	2	2	
19/00687/FP	83 - 85 Whitehill Road, Hitchin, SG4 9HP	2	2	
20/01638/FP	Land to the rear of, 61 And 61A Radcliffe Road, Hitchin, SG5 1QG	2	2	
23/01232/FP	Place Farm, New Inn Road, Hinxworth, SG7 5HB	2	2	
21/03437/FP	15 Lime Avenue, Blackmore End, AL4 8LQ	1	2	
22/00450/FP	6a Bucklersbury, Hitchin, SG5 1BB	1	2	
22/00452/FP	8a Bucklersbury, Hitchin, SG5 1BB	1	2	
22/03208/FP	Oakfields Farm, Stevenage Road, Hitchin, SG4 7JX	1	2	
22/02614/FP	4 Leys Avenue, Letchworth, SG6 3EU	2	2	
23/02638/FP	Bibbsworth Hall Farm, Bibbsworth Hall Lane, Ayot St Lawrence, SG4 8EN	2	2	
85/01010/1	Hall Farm, Homefield Lane, Langley	2	2	

App Ref	Address	Site Total (net)	Units deliverable within five years	Notes
03/00381/1	Manor Farm, Damask Green Road, Weston	4	1	
08/01858/1	Carrington House, 37 Upper King Street, Royston, SG8 9AZ	1	1	
10/00715/1	121-123 Norton Way South, Letchworth, SG6 1SU	2	1	
12/00392/1	Holly Lodge, Danesbury Park Road, Welwyn, AL6 9SH	0	1	
13/01815/1	Water Tower, Priors Wood, Bibbs Hall Lane, Ayot St Lawrence	1	1	
13/02021/1	The Node Conference and Training Centre, Hitchin Road, Codicote, Hitchin, SG4 8TL	1	1	
15/00892/1	Land adjacent to Cattlebury, Chapel Street, Hinxworth	1	1	
15/03230/1	Sunvale, Bedford Road, Holwell, SG5 3RX	1	1	
16/01409/1	Barn adj (40M ESE) The Rookery, Kings Walden Road, Offley	1	1	
17/01244/1	The Dial, West Lane, Pirton, SG5 3QP	0	1	
17/01634/1	1, Newnham Way, Ashwell, SG7 5PN	0	1	
17/01686/1	Hawthorn House, Cowards Lane, Codicote, Hitchin, SG4 8UN	0	1	
17/02423/1	19, Russells Slip, Hitchin, SG5 2BJ	0	1	
19/02737/FP	Drapers Farm, Rushden, SG9 0TB	1	1	
20/00851/FP	Keepers Cottage, Rustling End, Codicote, SG4 8TD	1	1	
20/01676/FP	Bradley Springs, Hitchin Road, Codicote, SG4 8TH	1	1	
20/02204/FP	Hay Farm, Police Row, Therfield, SG8 9QE	1	1	
20/02911/FP	Park Lane Reservoir and Booster Station, Park Lane, Old Knebworth, SG3 6PP	1	1	

App Ref	Address	Site Total (net)	Units deliverable within five years	Notes
21/00495/FP	31 Church Street, Baldock, SG7 5AF	-3	1	
21/00931/FP	Land adj 1 Pryor Road, Baldock, SG7 6LJ	1	1	
21/02463/FP	Ramerick Nursery, Bedford Road, Holwell, SG5 3RX	1	1	
21/02632/FP	Land adjacent to Dungarvan, Back Lane, Preston, SG4 7UJ	10	1	
21/03372/FP	Frogmore Stables, Frogmore Bottom Road, Kings Walden, SG4 8NN	-1	1	
21/03472/FP	16 Priory Way, Hitchin, SG4 9BL	0	1	
21/03516/FP	Land between 24 and 26 Cedar Crescent and, And 92 Green Drift, Royston	1	1	
22/00285/FP	The Paddocks, Pottersheath Road, Pottersheath, AL6 9SZ	0	1	
22/00399/FP	35 Burley, Letchworth Garden City, SG6 4PR	1	1	
22/00827/FP	Church Farm, West Street, Lilley, LU2 8LH	1	1	
22/01723/FP	31A Market Hill, Royston, SG8 9JT	1	1	
22/01844/S73	Land adjacent To 4 Ashwell Street, Ashwell, SG7 5QF	1	1	
22/02883/FP	Friends Green Farm, Friends Green, Damask Green Road, Weston, SG4 7BU	1	1	
22/03062/FP	28 London Road, Hitchin, SG4 7NG	0	1	
22/03295/FP	45 Barkway Road, Royston, SG8 9EB	1	1	
23/00334/FP	Barn adjacent to Church Farm, West Street, Lilley, LU2 8LH	1	1	
23/00389/FP	Monitor House, 6A Hitchin Street, Baldock, SG7 6AE	2	1	
23/02708/FP	Highfield Nurseries, Slip Lane, Old Knebworth, SG3 6QG	1	1	
Total		951	530	

Appendix B – Sites with detailed planning

App Ref	Address	Total units with detailed planning permission	Units deliverable within five years	Notes
21/00434/HYA	Land north of Pound Farm, London Road, St Ippolyts, SG4 7NE	84	84	
19/00386/RM	Land adjacent and to the east of McDonalds Restaurant, Baldock Road, Royston, SG8 9NT	279	76	203 units completed 76 units not started
19/01172/HYA	Anglian Business Park, Orchard Road, Royston, SG8 5TW	67	67	Not viable, discounted from numbers
19/02866/RM	Land to the east of Garden Walk and North of Newmarket Road, Garden Walk, Royston	149	61	79 units under construction 61 units not started
18/02722/FP	Land south of Heath Lane, Codicote, SG4 8YL	167	58	47 units completed 22 units under construction 58 units not started
20/01714/FP	Foundation House, Icknield Way, Letchworth Garden City, SG6 1GD	57	57	
22/03092/FP	Land to the east of Foxholes and Gainsford House, and on the west side of, Crow Furlong, Hitchin	47	47	
19/01448/FP	Former Wyevale Codicote Garden Centre, High Street, Codicote, SG4 8XA	66	39	18 units completed 9 units under construction 39 units not started
21/00401/FP	Land at Ivel Court, Radburn Way, Letchworth	24	24	
20/02507/FP	Land at and north of 68 London Road, Baldock, SG7 6JL	23	23	

App Ref	Address	Total units with detailed planning permission	Units deliverable within five years	Notes
19/01416/HYA	Land at 25-35 John Barker Place and, 1-36 Freemans Close, Hitchin	93	10	37 units completed 46 units under construction 10 units not started
21/02796/FP	59 - 61 Walsworth Road, Hitchin, SG4 9SX	10	10	
21/02957/FP	Land on the south west side of, Barkway Road, Royston	10	10	
22/02587/HYA	46 Kneesworth Street, Royston, SG8 5AQ	10	10	
21/02632/FP	Land adjacent to Dungarvan, Back Lane, Preston, SG4 7UJ	10	9	1 unit under construction 9 units not started
21/02624/FP	Land north of The Depot, 1A High Street, Graveley	9	9	
22/00516/FP	Land to the west of Lucas Lane and, East of Headlands, Grays Lane, Hitchin, SG5 2HR	9	9	
22/02953/FP	81 and 81A Whinbush Road, Hitchin, SG5 1PZ	8	8	
23/01029/FP	Cockernhoe Farm, Luton Road, Cockernhoe, LU2 8PY	8	8	
23/02650/FP	Land south west of and adjacent to, Lodge Court, Turnpike Lane, Ickleford	8	8	
23/01229/FP	Land to the rear and front of, 1-4, Gosmore Ley Close, Gosmore	4	4	
20/02259/FP	48-52 Leys Avenue, Letchworth Garden City	7	7	
22/00754/FP	The Foundry, Brookend Lane, St Ippolyts, SG4 7NX	7	7	
20/00073/FP	North Hertfordshire College, Cambridge Road, Hitchin, SG4 0JD	116	6	88 units completed 22 units under construction 6 units not started

App Ref	Address	Total units with detailed planning permission	Units deliverable within five years	Notes
21/02210/FP	38 - 39 Bucklersbury, Hitchin	6	6	
22/01842/FP	Barn to the west of Lordship Farmhouse, Pirton Road, Holwell	6	6	
22/02871/FP	Land on the west side of, Lower Road, Breachwood Green, SG4 8NS	6	6	
20/00865/FP	1a Kings Road, Hitchin, SG5 1RD	5	5	
23/01230/FP	Offley Stores, Luton Road, Offley, SG5 3DD	4	4	
20/03070/FP	Land development site off, Station Road, Ashwell	28	4	24 units under construction 4 units not started
22/01636/FP	Ridge Farm, Rabley Heath Road, Codicote, AL6 9UA	4	4	
22/03299/FP	Land rear of Gothic House, Oak Lane, Graveley	4	4	
23/01392/FP	Land rear of 33 High Street, Graveley, SG4 7LA	4	4	
22/01462/NMA	Preston Hill Farm, Preston Hill Farm Road, Preston, SG4 7UH	4	4	
22/01835/FP	Greenside, London Road, Langley, SG4 7PP	3	3	
23/02339/FP	33 Sun Street, Hitchin	2	2	
17/02189/1	47-49, Walsworth Road, Hitchin	4	3	1 unit completed 3 units not started
19/02388/FP	Manor Farm, Church Lane, Kelshall, SG8 9SP	3	3	
20/00598/FP	Land north of Oakleigh Farm, Codicote Road, Welwyn	3	3	
20/02109/FP	Nup End Farmhouse, Nup End, Old Knebworth, SG3 6QJ	3	3	
21/00391/FP	7-8 Portmill Lane, Hitchin, SG5 1AS	3	3	

App Ref	Address	Total units with detailed planning permission	Units deliverable within five years	Notes
21/00653/FP	Kimpton Grange, Luton Road, Kimpton, SG4 8HA	3	3	
23/01162/FP	Former 40-42 High Street, Royston, SG8 9AN	3	3	
23/02713/FP	7 Bancroft, Hitchin, SG5 1JQ	3	3	
20/02459/FP	The Red Lion Stud, London Road, Reed, SG8 9RP	2	2	
22/02493/FP	7 St Marys Rise and Land to The Rear, Breachwood Green, SG4 8PN	2	2	
23/01275/FP	Land at 1 and 2 New Bungalows, Lawrence End Road, Peters Green	1	1	
20/00364/FP	48 High Street, Royston, SG8 9AW	2	2	
20/00434/FP	22-24 High Street, Royston, SG8 9AG	2	2	
20/01677/FP	Land west of The Stirrups, Danesbury Park Road, Welwyn, AL6 9SF	2	2	
23/01942/FP	54 Church Street, Baldock, SG7 5AF	2	2	
20/02817/FP	16 - 18 Openshaw Way, Openshaw Way, Letchworth Garden City, SG6 3ER	2	2	
21/01688/FP	Land r/o of 35 Common Rise, Hitchin, SG4 0HN	2	2	
21/02650/FP	Land to the west of, 35 Ashwell Street, Ashwell, SG7 5QR	2	2	
21/02872/FP	Land at the Old Forge, 29A Park Street, Baldock, SG7 6DY	2	2	
21/02893/FP	Land adj, 33 Kimberley, Letchworth, SG6 4RA	2	2	
21/02943/FP	16 Leys Avenue, Letchworth Garden City, SG6 3EU	2	2	
21/03184/FP	Land rear of Radcliffe Arms, Walsworth Road, Hitchin	2	2	
22/02775/FP	Model Farm, Mill Lane, Hexton, SG5 3JE	2	2	
23/00137/FP	1a Hampden, Kimpton, SG4 8QH	2	2	

App Ref	Address	Total units with detailed planning permission	Units deliverable within five years	Notes
23/01630/FP	Rear of 36 Bucklersbury, Hitchin, SG5 1BG	2	2	
21/02408/FP	39 Hillfield Avenue, Hitchin, SG4 0AL	1	1	
21/03162/FP	61 Station Road, Letchworth, SG6 3BJ	1	1	
23/02153/FP	73 Spring Road, Letchworth Garden City, SG6 3SL	1	1	
23/02309/FP	Churchfields House, Hitchin Road, Codicote, SG4 8TH	1	1	
11/01972/1	Plots 1, 2, 3 & 8, Cressmans Corner, Lilley Bottom Road, Whitwell, SG4 8JP	3	1	2 units completed 1 unit not started
18/01900/FP	Creeve, The Mount, Barley, SG8 8JH	2	1	1 unit completed 1 unit not started
18/03348/FP	Vine Cottage, Maydencroft Lane, Gosmore, SG4 7QB	2	1	1 unit demolished 2 units under construction 1 unit not started
23/00389/FP	Monitor House, 6A Hitchin Street, Baldock, SG7 6AE	2	1	1 unit under construction 1 unit not started
12/02325/1	Ramridge Farm, Luton Road, Kimpton, Hitchin, SG4 8HB	2	1	1 unit completed 1 unit not started
21/00810/FP	Sunvale, Bedford Road, Holwell, SG5 3RX	1	1	
19/01700/FP	Land rear of, 9 High Street, Barkway, SG8 8EA	1	1	
23/01488/FP	Langham, Church Lane, Barkway, SG8 8EJ	1	1	
20/00409/FP	1 The Crescent, St Ippolyts, SG4 7RE	1	1	
23/00532/FP	Land adjoining 3 Priory Way, Hitchin	1	1	

App Ref	Address	Total units with detailed planning permission	Units deliverable within five years	Notes
20/01437/FP	Land and Stables at, Milksey Lane, Graveley, SG4 7LA	1	1	
20/01539/FP	Barn adjacent Dower House, Hitchin Road, Preston	1	1	
20/01742/FP	Barn to the west of, Bedford Road, Holwell	1	1	
20/01905/FP	Orchard Barn, Hexton Road, Lilley, LU2 8NA	1	1	
20/02382/FP	Land adj, 1 Stake Piece Road, Royston, SG8 9DN	1	1	
20/02956/FP	Land R/O, 44 High Street, Barkway, SG8 8EE	1	1	
21/00381/FP	Land adj, 3 Truemans Road, Hitchin, SG5 2TA	1	1	
21/00457/FP	19 St Katherines Close, Ickleford, SG5 3XS	1	1	
21/00799/FP	Land adj Gladstone Villas, Brickyard Lane, Reed, Reed	1	1	
21/00991/FP	15 Shillington Road, Pirton, SG5 3QJ	1	1	
21/01273/FP	Pirton Hall, Shillington Road, Pirton, SG5 3HB	1	1	
21/01321/FP	46 High Street, Royston, SG8 9AW	1	1	
21/01745/FP	Meadow View, Love Lane, Ashwell, SG7 5HZ	1	1	
21/01876/FP	Land adj, Glebe House, Chequers Lane, Preston, SG4 7TY	1	1	
21/02233/FP	27 Bedford Road, Ickleford, SG5 3XH	1	1	
21/02292/FP	The Battery, Manor Farm, Caldecote Road, Newnham, SG7 5LA	1	1	
21/02383/FP	1 Priory Lane, Little Wymondley, SG4 7HE	1	1	
21/02708/FP	Land to the south east of Bury Farm House, Bury Lane, Codicote, SG4 8XX	1	1	
21/02832/FP	Hobbs Close Garage, London Road, St Ippolyts, SG4 7NJ	1	1	

App Ref	Address	Total units with detailed planning permission	Units deliverable within five years	Notes
21/03191/FP	The Water Tower, Danesbury Park Road, Welwyn	1	1	
21/03458/FP	Land adjacent to High Beeches, Mill Lane, Therfield, SG8 9PR	1	1	
21/03527/FP	Land rear and adjacent to, 60 Ashwell Road, Bygrave	1	1	
22/00146/FP	Glebe Lodge, Pirton Road, Holwell, SG5 3SS	1	1	
22/00172/FP	Land adj, Glencoe Villa, Snailswell Lane, Ickleford, SG5 3TS	1	1	
22/00217/FP	Dunroamin, Ramerick Nursery, Bedford Road, Holwell, SG5 3RX	1	1	
22/00433/FP	Land adj, 1 Royse Grove, Royston, SG8 9EP	1	1	
22/00850/FP	Land between 5 Norton Road and, 1 West Avenue, Baldock, SG7 5AX	1	1	
22/01173/FP	131 London Road, Knebworth, SG3 6EX	1	1	
22/01839/FP	Land adj, 11 Station Road, Baldock, SG7 5BU	1	1	
22/01840/FP	The Sycamores, 43 Kneesworth Street, Royston, SG8 5AB	1	1	
22/01891/FP	Proposed Barn at Church Wood, Three Houses Lane, Codicote, Codicote	1	1	
22/02064/FP	Land to the south of, West Lane, Offley	1	1	
22/02765/FP	Land adj, 21 St Katherines Close, Ickleford, SG5 3XS	1	1	
22/03179/FP	The Studio, 29F Nightingale Road, Hitchin, SG5 1QU	1	1	
22/03253/FP	Toyldfor, Heathfield Road, Hitchin, SG5 1SY	1	1	
22/03300/FP	Land east of Maple House, St James Court, Therfield	1	1	
22/03301/FP	Water Tower Offley Hoo Farm, Hoo Lane, Offley	1	1	
23/00060/FP	Roe Green Barn, Roe Green, Sandon, SG9 0QE	1	1	

App Ref	Address	Total units with detailed planning permission	Units deliverable within five years	Notes
23/00094/FP	Tallents Research Farm, Kimpton Bottom, Kimpton, SG4 8EU	1	1	
23/00564/FP	Land between 5 And 9 Pirton Road, Hitchin	1	1	
23/00718/FP	Land to the east of 5 Ashwell Street, Ashwell, SG7 5QF	1	1	
23/00734/FP	Land to the rear of Lane House, Ley Green, Kings Walden, SG4 8LJ	1	1	
23/01345/FP	Glendale, 2 Waterloo Lane, Holwell, SG5 3ST	1	1	
23/01389/FP	201 Whitehill Road, Hitchin, SG4 9HY	1	1	
23/01807/FP	Coker Cottage, Ashwell Road, Newnham, SG7 5JX	1	1	
23/01988/FP	67 High Street, Whitwell, SG4 8AH	1	1	
23/02000/FP	158 High Street, Codicote, SG4 8UB	1	1	
23/02234/FP	Land adjacent to Wymondley Bury Lodge, St Marys Church Road, Little Wymondley, SG4 7JN	1	1	
23/02549/FP	Land to the rear of 61-69, High Street, Kimpton, SG4 8PU	1	1	
23/02562/FP	Lagonda Stud, Pottersheath Road, Pottersheath, AL6 9SU	1	1	
23/02851/FP	Red Brick Cottage, The Street, Kelshall, SG8 9SQ	1	1	
24/00140/FP	Old Maltings Cottage, 3A Green Drift, Royston, SG8 5DB	1	1	
19/00528/RM	Heath Farm, Pottersheath Road, Pottersheath, AL6 9ST	1	1	
23/01574/RM	Land adjacent To 9 North End, Kelshall, SG8 9SD	1	1	
20/02789/NMA	The Three Horseshoes, Willian Road, Willian, SG6 2AE	1	1	
23/02860/RM	Land adjoining Libre View, Bell Lane, Nuthampstead	1	1	

App Ref	Address	Total units with detailed planning permission	Units deliverable within five years	Notes
23/00485/FP	52 Church Street, Baldock, SG7 5AF	0	-1	
23/01233/LDCP	20 Mangrove Green, Cockernhoe, LU2 8QE	-1	1	
Subtotal		1,481	762	
Take 10% off units under ten dwellings for non-implementation			25	
Total			737	

Appendix C – Sites with Prior Notification

App Ref	Address	Site Total (net)	Units deliverable within five years	
21/00023/PNQ	Manor Farm, Church Lane, Graveley, SG4 7BN	5	5	
21/02673/PNQ	West Lane Farm, West Lane, Pirton, SG5 3QP	4	4	
22/02888/PNQ	Slip End Farm, Royston Road, Slip End, SG7 6SG	4	4	
23/02338/PNQ	Kirby Manor Farm, Northfield Farm, Ashwell, SG7 5JQ	4	4	
20/02144/PNO	61 Leys Avenue, Letchworth, SG6 3EF	2	2	
21/02291/PNO	19 Leys Avenue, Letchworth, SG6 3EB	2	2	
23/02504/PNMA	Regal House, 54a and 55 a Bancroft, Hitchin, SG5 1LL	2	2	
20/01532/PNQ	Paddock Barn, Codicote Road, Whitwell	1	1	
20/02143/PNQ	Barn at Langley End and to the west of, Bathgate House, Hill End Farm, Hill End Farm Lane, Langley	1	1	
20/03009/PNQ	Lane End Lodge, Pottersheath Road, Pottersheath, AL6 9ST	1	1	
21/01325/PNO	46 High Street, Royston, SG8 9AW	1	1	
22/00547/PNQ	Marshfield Barn, New Inn Road, Hinxworth, SG7 5HB	1	1	
22/01140/PNQ	The Carriers, Green End, Sandon, SG9 0RQ	1	1	
22/01246/PNQ	Lane End Lodge, Pottersheath Road, Pottersheath	1	1	
22/02889/PNQ	Slip End Farm, Royston Road, Slip End, SG7 6SG	1	1	
22/03168/PNQ	Farrowby Farm, New Inn Road, Hinxworth, SG7 5EY	1	1	
23/01910/PNQ	Highwood, Hitchwood Lane, Preston, SG4 7RY	1	1	

Subtotal	33	33
Take 10% off units under ten dwellings for non-implementation		4
Total		29

Appendix D – Sites with Outline Permission/S106

App Ref	Address	Site Total (net)	Units deliverable within five years	Notes
17/01464/1	Land adjacent to Oaklea and, South of Cowards Lane, Codicote, SG4 8UN	83	83	
17/01955/1	Ickleford Mill, Arlesey Road, Ickleford	71	71	
23/00549/OP	Bell Farm Industrial Park, Bell Lane, Nuthampstead, SG8 8ND	9	9	
18/03315/OP	Land rear of The Croft, Stevenage Road, Little Wymondley	2	2	
20/02520/PIP	Land south of Holwell Road, Holwell, SG5 3SG	5	5	
21/00019/PIP	Winch Hill House, Winch Hill Road, Luton, LU2 8PB	2	2	
21/02112/OP	Daisy Barn, Treacle Lane, Rushden, SG9 0SL	1	1	
18/01154/OP (HT1)	Land north of Highover Farm, Stotfold Road	700	250	Subject to S106
23/00563/FP (HT3)	Land south of Oughtonhead Lane	43	43	Subject to S106
21/00504/OP (LG3)	Land east of Kristiansand Way	120	120	Subject to S106
18/02913/OP (LG4)	Land north of former Norton School, Norton Road	45	45	Subject to S106
22/01464/OP (LG10)	Former Norton School playing field, Croft Lane	42	42	Subject to S106
20/02412/FP (SI1)	Land between 53 and 81 and Land rear of 7 – 52 Waterdell Lane, St Ippolyts	52	52	Subject to S106
		1,175	725	
Take 10% off units under ten dwellings for non-implementation			3	
Total			722	

Appendix E – Deliverable sites

Site Allocation Ref	Address	Site Total (net)	Total	Notes
	The Exchange, Queen Street, Hitchin	29	29	BFR site – Unilateral Undertaking awaiting completion
BR39	Land south Of 1A Lower Gower Road Royston	16	16	BFR site
BA1 (Policy SP14)	North of Baldock	3000	300	PPA Outline application for all three sites within 12 months
BA3				
BA10				
BA2	Land south-west of Clothall Road	200	140	PPA Outline application within 12 months
EL1 (Policy SP19)	Luton East (west)	1050	130	PPA Amendments to current application and determination within 12 months
EL2 (Policy SP19)	Luton East (east)	350	50	PPA Amendments to current application and determination within 12 months
EL3 (Policy SP19)	Land north east of Luton	700	60	PPA Amendments to current application and determination within 12 months
NS1 (Policy SP16)	Stevenage North	900	100	PPA Live application and determination within 12 months

Site Allocation Ref	Address	Site Total (net)	Total	Notes
GA2 Policy SP18)	Land off Mendip Way, Great Ashby	600	250	PPA Leading to submission of application
LG1 (Policy SP15)	Letchworth North	900	200	Masterplanning discussions ongoing
BA4	East of Clothall Common	50	50	Landowner actively pursuing delivery of the scheme
BA5	Land off Yeomanry Drive	23	23	Outline application is currently being considered
CD3	Land north east of The Close	42	42	Outline application is currently being considered
GA1	Stevenage North East (Roundwood)	360	195	PPA Expecting resubmission
KM3	Land north of High Street	15	15	Discussions ongoing
KB1	Land at Deards End	200	70	Masterplanning discussions ongoing
KB2	Land at Gipsy Lane	184	70	Masterplanning discussions ongoing
KB4	Land east of Knebworth	230	150	Outline application is currently being considered
RY10	Land south of Newmarket Road	300	150	PPA Live application and determination within 12 months
SI2	Land south of Stevenage Road	14	14	Full application is currently being considered

Site Allocation Ref	Address	Site Total (net)	Total	Notes
TH1	Police Row (east)	10	10	Full application is currently being considered
WE1	Land off Hitchin Road	40	40	In the ownership of North Herts
WY1	Land south of Little Wymondley	300	150	Live application
Total		9,513	2,254	