

ADDENDUM PLANNING STATEMENT

On behalf of:

Hill Residential

In respect of:

**Land To The East Of Foxholes And Gainsford
House And On The West Side Of, Crow Furlong
Hitchin
Hertfordshire**

Date:

July 2025

Reference:

LR/05216/S0003

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1.0 INTRODUCTION & BACKGROUND

Introduction

1.1 This Addendum Planning Statement (June 2025) has been prepared on behalf of Hill Residential ("the applicant") in respect of a Section 73 application to amend ("the s73") full planning permission 22/03092/FP which was approved by North Herts District Council ("NHDC") on 15th March 2024 for the erection of 47 dwellings at Land East of Foxholes/ Gainsford House & West Side of Crow Furlong, Hitchin ("the site").

1.2 The description of development for this s73 application is as follows:

Variation of conditions 2 and 10 of full planning permission 22/03092/FP dated 15th March 2024 (Residential development of 47 dwellings and associated car parking, open space, landscaping and creation of access off Grays Lane (as amended)).

1.3 In addition to updated/new drawings and documents to support the proposed amendments to the scheme, this submission also includes all of the details required by the pre-commencement conditions attached to the permission, namely Conditions 5, 6, 7, 8, 9, 11, 13, 18, 21, 22, 25, 26, 27 and 28. This is to negate the need for those conditions to be carried over to the new permission and enable Hill Residential to make an active start on the site as soon as the s.73 application is approved.

1.4 A schedule of the documents and drawings comprising this application is contained at **Appendix 1**.

1.5 The purpose of this Addendum Planning Statement is to explain the background to the submission, the amendments proposed and why they would not alter the key principles established by the permitted scheme and would be acceptable for policy reasons. In doing so it explains how comments received at the pre-application stage have been positively responded to. It also explains where the information required to satisfy the pre-commencement conditions can be found. It should be read in conjunction with the original Planning Statement.

Background

1.6 The site benefits from full planning permission (Ref: 22/03092/FP) ("the full planning permission") for the following development:

"Residential development of 47 dwellings and associated car parking, open space, landscaping and creation of access off Grays Lane (as amended)"

1.7 The key components of the permitted scheme are as follows:

- **47No. new homes comprising 6 x 1 bed apartments, 13 x 2 bed houses, 18 x 3 bed houses and 10 x 4 bed houses;**
- **40% or 19No. of the dwellings would be affordable housing comprising 6 x 1 bed apartments, 7 x 2 bed houses, 5 x 3 bed houses and 1 x 4 bed houses;**
- **Provision of publicly accessible open space, including provision for a centrally located equipped LAP of 250m²;**
- **Dwellings of no more than 2 storeys in height;**
- **Vehicular access via an extension of Gray's Lane to the north-west, which would provide access to both this site and that allocated to the north (HT5);**
- **Pedestrian and cycle access via the main access off Gray's Lane, as well as a links in the north west corner onto Bridleway Hitchin 004 and the south east corners onto Crow Furlong;**
- **Provision for car parking in line with current standards;**
- **Retention and enhancement of existing trees, hedgerows, woodland and ecological habitat; and**
- **Provision of a 12m multi-functional habitat buffer around the perimeter of the site.**

1.8 A Section 96a non-material amendment application (NMA) (Ref: 25/00557/NMA) was approved by NHDC on 2nd April 2025, which sought to change three house types relating to Plots 8, 9 and 10 on the approved site plan. The NMA application sought:

"The substitution of three plots (plots 8, 9 and 10) on the development site with associated amenity, parking and infrastructure. The amendments are self-contained so do not have wider impacts on the layout and seek to replicate the materials and features of the original house types (as non-material amendment to planning permission 22/03092/FP granted on 06.02.2024)."

1.9 The combination of the full planning permission and NMA comprises the 'extant permission' for the site. The extant permission is subject to conditions and planning obligations set out in a legal agreement. To date none of the conditions have been discharged.

Proposed Scheme Amendments

1.10 The full planning permission was submitted in November 2022 and was not approved until March 2024. During that time Hill Residential acquired full planning permission for the redevelopment of land immediately to the north of the application site on Lucas Lane for 9no. dwellings. Hill Residential

are now in the process of acquiring the application site and intends to develop it in conjunction with their Lucas Lane site.

- 1.11 Hill Residential is a privately owned house builder renowned for providing high quality and well-designed homes. Following a thorough review of the approved drawings, Hill Residential wish to take the opportunity to amend the extant permission to alter house types to increase their usability and design quality and better suit their house types. The materials and elevational treatment of the homes would be consistent with those already approved to ensure a cohesive approach to materiality and design and one that is reflective of the character of the site and surrounding area.
- 1.12 A full explanation of the improvements proposed by this application can be found in the Design and Access Statement (June 2025). However, in summary the application proposes the following changes to the permitted development:
1. Changes to the proposed house types with consequential changes to the layout.
 2. Change to the market housing mix from 6no. x 2 bed, 13no. x 3 bed and 9no. x 4 bed homes to 5no. x 2 bed, 13no. x 3 bed and 10no. x 4 bed homes.
 3. Provision of more affordable bed spaces by providing 4no. x 2 bed 4 person dwellings instead of 4no. x 2 bed 3 person dwellings.
 4. Changes to sizes and positioning of garages on site.
 5. Provision of a new substation in the northeast corner next to the site access required to serve this development and that to the north and to enable a more sustainable approach - moving to ASHP & EV charging points and away from gas and fossil fuels.
- 1.13 In addition to these improvements, the amended drawings submitted as part of this s.73 application also incorporate any changes already approved under the NMA. This ensures that all already approved changes and the proposed changes are captured under one application.

Information to Satisfy Planning Conditions

- 1.14 This submission also includes the details required to satisfy pre-commencement conditions 5, 6, 7, 8, 9, 11, 13, 18, 21, 22, 25, 26, 27 and 28). A schedule is contained at **Appendix 2** setting out the requirements of each of these conditions and where the information required to satisfy them can be found.

Pre-Application Advice

- 1.15 The submission of this application follows from pre-application discussions with officers at NHDC. A meeting was held with Sarah Kasparian on the 8th May 2025 and the Council's written advice was

received on the 14th May 2025 (**Appendix 3**). A summary of the comments received and how the scheme has positively responded to these is set out in the schedule at **Appendix 4**.

Scope of Section 73

- 1.16 The Council's pre-application response advised that as part of any application supporting material should be provided that explains why the changes are permissible as part of a s73 application.
- 1.17 In this regard, the application comprises a comprehensive pack of drawings and statements explaining the proposed changes, why they would not alter the principles established by the permitted scheme and would be acceptable for policy reasons and as such would not warrant anything more than a s73 application.
- 1.18 An application made under Section 73 of the Town and Country Planning Act 1990 can be used to make a material amendment by varying or removing conditions associated with a planning permission. It is important to note from the outset that there is no statutory limit on the degree of change permissible to conditions under s73, but the change must only relate to conditions and not to the operative part of the permission.
- 1.19 Previously referred to as 'minor material' amendments in the Planning Practice Guidance (PPG), the inclusion of the word 'minor' was removed following the High Court ruling in the case of *Armstrong v Secretary of State for Levelling-Up, Housing and Communities and Another* [2023] EWHC 176 (*Admin*), which clarified that Section 73 not only does not limit its application to minor material amendments, but in fact sets no limit to the scope of amendments that might be achieved provided that:
1. The original planning permission has conditions which can be amended;
 2. The operative part of the permission (the description of development) is not changed; and
 3. The changes would be acceptable for policy reasons.
- 1.20 The High Court concluded that the previous wording in the PPG caused confusion as it referred to "minor material amendment" and that there was nothing in s73 or the 1990 Act itself that limited the application to "minor material amendments" or to "non-substantial" or "not fundamental variations". The Judgment found that s73 is *clearly intended* to enable developers to propose fundamental and substantial variations to the extant permission, subject to the proposal fitting within the original description of development.
- 1.21 In this case each of these three tests are met, as follows:

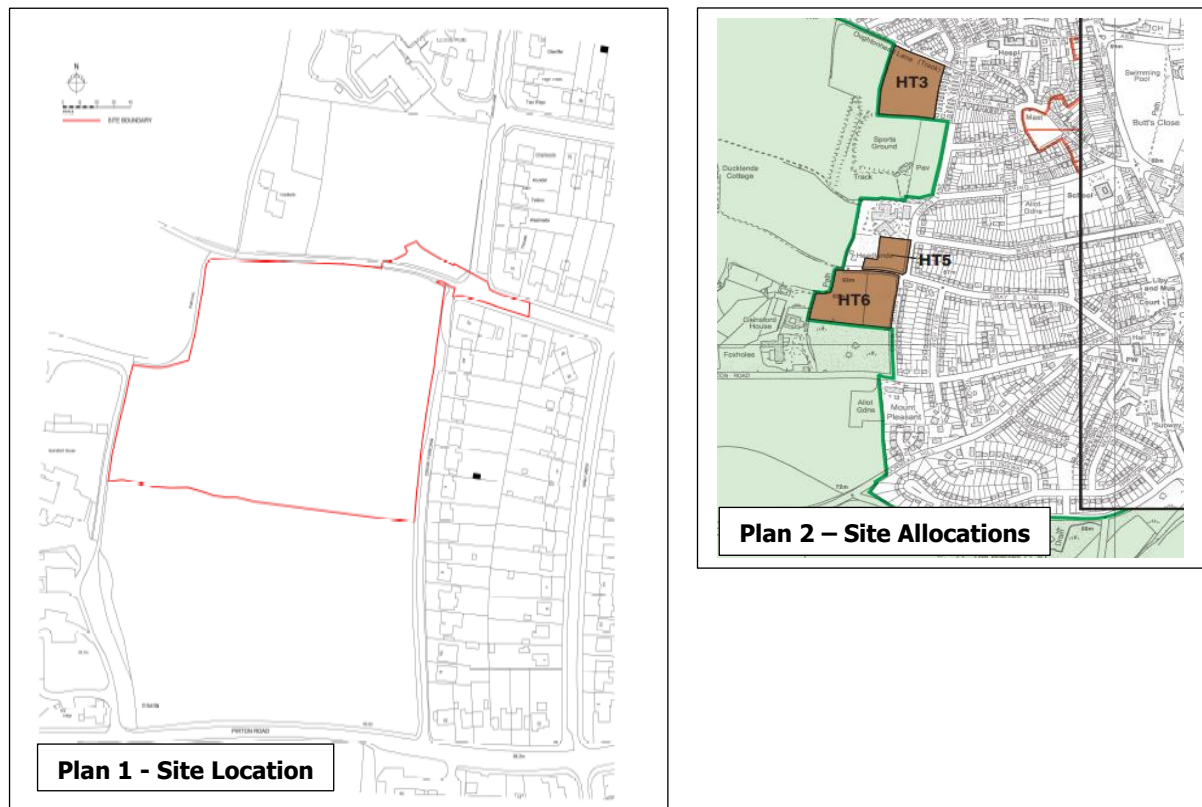
1. Condition 2 of the full permission refers to the approved documents and plans and can either be amended itself to include the revised list of documents and drawings or the list on the 'face' of the permission can be updated.
2. The operative part of the permission or the description of development is a straightforward one stating "*Residential development of 47 dwellings and associated car parking, open space, landscaping and creation of access off Grays Lane (as amended)*". There is no change to the total number of dwellings or to anything else referenced in the description of development such that it does not need to be amended as a result of the changes proposed. Equally, whilst there is no reference to a substation in the description, this essentially constitutes ancillary works and its' introduction into the development would not alter the operative part of the permission.
3. Since the original planning application was submitted and determined by NHDC there has been no change in development plan policy with this being set out in the adopted North Hertfordshire Local Plan (NHLP) 2011-2031. While an updated National Planning Policy Framework (NPPF) was published in December 2024 the content of that document does not necessitate NHDC to reconsider its favourable determination of the permission. If anything, it has only served to increase the impetus to enable the delivery of sites such as this as soon as possible. As this statement now proceeds to explain, the key principles established by the permitted development, as set out below, are retained as part of the changes proposed such that they are compliant with policy:
 - 47No. new homes of which 19No. would be affordable comprising 6 x 1 bed flats, 7 x 2 bed houses, 5 x 3 bed houses and 1 x 4 bed houses as secured by the Section 106 agreement.
 - All dwellings of no more than 2 storeys in height with those closest to the eastern boundary being no greater in height than those approved in that location.
 - All dwellings compliant with Nationally Described Space Standards and the majority of dwellings designed to meet either building regulations M4(2) 'Accessible and Adaptable Dwellings' standards or the higher M4(3) (Wheelchair accessible) standard.
 - An informal layout reflective of the semi-rural, agrarian character of the site and settlement edge location with all dwellings offset from the site boundaries behind a 12m complimentary habitat buffer.
 - Vehicular access via an extension of Gray's Lane to the north-west providing access to both this development and that permitted to the north (HT5).
 - Pedestrian and cycle access via the main access off Gray's Lane, as well as links in the northwest and southeast corners on Bridleway Hitchin 004 and Crow Furlong, respectively.
 - A layout that incorporates a generous green buffer around the site entrance including new landscaping, green space and an area for sustainable drainage to visually separate the site from the existing residential area and provide a pleasant entrance to the site and natural surveillance.
 - The design of properties incorporating a limited palette of materials including brick and timber boarding providing a sense of cohesion across the site and reflecting an agrarian character suitable for the semi-rural location.
 - Provision for car and cycle parking in accordance with adopted standards.

- Two thirds of the site given over to publicly accessible open space, including a central open space, including play area, that provides a focal point within the site and a local destination for children and families.
- Provision of sustainable drainage features, including two attenuation ponds (one at the entrance to the site and one in the western part of the site) and swale features alongside the woodland to the south.
- Retention and enhancement of existing vegetation structure along the site boundaries with new tree, shrub and hedgerow planting, that provides a green setting to the proposals and would integrate the development into the wider landscape context.
- Retention of key trees, including those protected by TPO, within areas of open space, with suitable development offsets to ensure future long-term health and growth.

2.0 THE SITE AND SURROUNDINGS

- 2.1 The application site comprises a self-contained field at the junction of Gray's Lane with Crow Furlong. It is allocated for housing in the Local Plan 2022. The site is roughly square in shape. To the north is an extension to Gray's Lane and a bridleway; to the east is Crow Furlong with existing residential development forming the built-up area of Hitchin beyond; and to the south is a deciduous woodland. A residential and nursing care home (Foxholes) and associated grounds are located immediately west of the site with open countryside beyond.
- 2.2 The location and extent of the site is indicated on **Plan 1** below, while its allocation and relationship with the settlement boundary is shown on **Plan 2**.

Plan 1: Site Location & Plan 2: Extract from Proposals Map



- 2.3 To the north of the site beyond Gray's Lane is a grassland field which is also allocated for housing in the North Hertfordshire Local Plan (Site HT5). The location of it relative to the application can be seen on **Plan 2**. During the determination of the Full Planning Permission, a full planning application for the erection of 9no. dwellings on site HT5 was submitted by Hill Residential and approved by NHDC on the 18th September 2023 for the adjacent site reference HT5 (22/00516/FP) for nine units. There is overlap in the site boundaries in relation to the highway access, where the proposals have been coordinated together. Hill Residential will be developing the two sites in conjunction.

2.4 Section 3 of the Planning Statement (November 2022) provides a detailed description of the application site, its planning history and the surrounding area. These sections of that document remain largely unchanged and do not need to be updated, other than that summarised below:

- The extant permission is the subject of conditions and planning obligations set out in a legal agreement dated 13th March 2024; and
- A Section 96a non-material amendment application (Ref: 25/00557/NMA) was approved by NHDC on 16 December 2022, which sought to change three house types relating to plots 8, 9 and 10 on the approved site plan, together with a slightly increased size of the single garage associated with plot 8.

2.5 The site does not fall within a conservation area and there are no listed buildings within proximity to the site. This remains unchanged from the Planning Statement (November 2022).

3.0 NATURE OF APPLICATION & APPLICATION DOCUMENTS

As explained in the earlier sections, the applicant has taken the opportunity to make amendments to the extant permission to improve the design quality and usability of the dwellings. They have also taken the opportunity to submit the details required by the pre-commencement conditions attached to the extant permission (Conditions 5, 6, 7, 8, 9, 11, 13, 18, 21, 22, 25, 26, 27 and 28) to negate the need for those conditions to be carried over to the new permission.

List of Application Documents

- 3.1 Section 1 of the Planning Statement (November 2022) submitted with the original planning application includes a list of documents and drawings that the original planning application comprised upon submission. Revised drawings were subsequently submitted during the determination of the application in May and August 2023 in response to comments received from consultees. The 'face' of the decision notice for the full permission lists the approved drawings. The decision notice does not include reference to the approved documents, but a list of these can be found at Paragraph 4.2.6 of the Committee Report.
- 3.2 It is proposed that the amendments to the extant permission will be secured by updating the following elements of the planning permission:
- Updating the 'approved documents and plans' listed in Condition 2; and
 - Updating the reference to the approved Flood Risk Assessment to include reference to the Updated Drainage Strategy at Condition 10.
- 3.3 The 'Schedule of Application Documents and Drawings' contained at **Appendix 1** provides clarification on which documents and drawings approved as part of the extant permission and replacement/updated documents and drawings submitted as part of this s73 application should now form the basis of the planning permission and should be included on the 'face' of the new decision notice.
- 3.4 The schedule at **Appendix 2** provides clarification on which of the submitted documents and drawings provide the detail required to satisfy each of the pre-commencement conditions.

Description of Development

- 3.5 The description of development set out on the 'face' of the extant permission¹ does not need to be

¹ As amended by the NMA Ref: 25/00557/NMA

amended as a result of the proposed amendments.

Amendments to Conditions

- 3.6 The extant permission is the subject of conditions, which will need to be adjusted. The changes to the design and layout sought by this application require the amendment of Conditions 2 and 10 to ensure consistency and to reflect the adjustments in the 'approved documents' described in these conditions.
- 3.7 The schedule at **Appendix 5** sets out the proposed rewording of these conditions, together with the removal/re-wording of the pre-commencement conditions which this submission seeks to satisfy.

4.0 THE PROPOSED DEVELOPMENT

4.1 Section 4 of the Planning Statement (November 2022) describes the key aspects of the extant permission.

4.2 A full explanation of the amendments proposed by the application to the approved scheme can be found in the Design and Access Statement (June 2025). However, in summary the application proposes the following changes to the permitted development:

- Changes to the proposed house types with consequential changes to the layout.
- Change to the market housing mix from 6no. x 2 bed, 13no. x 3 bed and 9no. x 4 bed homes to 5no. x 2 bed, 13no. x 3 bed and 10no. x 4 bed homes.
- Provision of more affordable bed spaces by providing 4no. x 2 bed 4 person dwellings instead of 4no. x 2 bed 3 person dwellings.
- Changes to sizes and positioning of garages on site.
- Provision of a new substation in the northeast corner next to the site access required to serve this development and that to the north and to enable a more sustainable approach - moving to ASHP & EV charging points and away from gas and fossil fuels.

5.0 PLANNING POLICY CONTEXT

- 5.1 Section 5 of the Planning Statement (November 2022) explained that in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 the original planning application is to be determined in accordance with the provisions of the 'Development Plan' unless other 'material considerations' indicate otherwise.
- 5.2 At the time the original planning application was submitted in November 2022 the development plan relevant to the consideration of the application site comprised the recently adopted North Hertfordshire Local Plan 2011-2031. Since the original planning application was submitted and determined by NHDC there has been no material change in the development plan policy context.
- 5.3 While an updated National Planning Policy Framework (NPPF) was published in December 2024 the content of this document does not necessitate NHDC to reconsider its favourable determination of the extant permission.
- 5.4 Upon adoption of the North Hertfordshire Local Plan 2011-2031 the application site was removed from the Green Belt and allocated under Local Housing Allocation HT6 for 53 homes. The key policies of relevance to the 2024 Proposed Development are as follows:

Spatial Strategy and Strategic Policies

Policy SP1: Sustainable Development in North Hertfordshire

Policy SP2: Settlement Hierarchy

Policy SP6: Sustainable transport

Policy SP7: Infrastructure requirements and developer contributions Policy SP8: Housing

Policy SP9: Design and sustainability

Policy SP10: Healthy communities

Policy SP11: Natural resources and sustainability

Policy SP12: Green infrastructure, biodiversity and landscape

Policy SP13: Historic Environment

Development Management Policies

Policy HT6: Local Housing Allocations and site-specific policy criteria – Land at junction of Grays Lane and Lucas Lane

Policy HS1: Local Housing Allocations

Policy HS2: Affordable Housing

Policy HS3: Housing Mix

Policy HS5: Accessible and adaptable housing

Policy T1: Assessment of transport matters

Policy T2: Parking

Policy D1: Sustainable design

Policy D3: Protecting living conditions

Policy D4: Air quality

Policy NE1: Strategic green infrastructure

Policy NE2: Landscape

Policy NE4: Biodiversity and geological sites

Policy NE6: New and improved open space

Policy NE7: Reducing flood risk

Policy NE8: Sustainable drainage systems

Policy NE9: Water quality and environment

Policy NE10: Water conservation and wastewater infrastructure

Policy HE4: Archaeology

6.0 PLANNING CONSIDERATIONS

6.1 Upon adoption the application site was removed from the Green Belt and allocated under Local Housing Allocation HT6 for 53 homes. The site will make a quick and positive contribution to the delivery of homes in North Hertfordshire over the Plan period. The principle of development for this Local Housing Allocation is therefore acceptable in accordance with NHLP Policies SP1, HS3, SP2 and SP5. Notwithstanding, the principle of a development comprising 47no. dwellings is already established and acknowledged via the grant of the extant permission that this application seeks to vary.

6.2 Section 6 of the Planning Statement (November 2022) considers the acceptability of the full planning permission under the following headings:

- **Compliance with Site Allocation HT6:**
 - **Access to Sites HT5 & HT6**
 - **Impact on Priority Habitat and Oughtonhead Lane SSSI**
 - **Green Belt Boundary**
 - **Landscape**
 - **Archaeology**
- **Compliance with Other Policies:**
 - **Design and Layout**
 - **Residential Amenity**
 - **Housing Mix**
 - **Open Space Provision**
 - **Access and Car Parking**
 - **Trees**
 - **Ecology**
 - **Air Quality**
 - **Flooding & Drainage**
 - **Sustainability**
 - **Ground Conditions**

6.3 Utilising these headings this Addendum Planning Statement explains that the proposed amendments continue to accord with all relevant adopted planning policy and guidance.

Compliance with Site Allocation HT6

6.4 Site allocation HT6 sets out six criteria that any proposals for the site must comply with. The proposed amendments would not alter the ability of the development to comply with each of these insofar as:

1. No change is proposed to the approved access (see Proposed Access Drawing No. 188-TA50D) which provides improvements to Gray's Lane and access to both sites HT5 and HT6 whilst maintaining appropriate access to, and integrity and character of, Bridleway Hitchin 004 and Byway Open to All Traffic Hitchin 007.
2. While changes to the house types are proposed within individual plots, there would be no change to either the depth or treatment of the 12m buffer between the edge of the priority habitat woodland to the south and development within the site. Insofar as the setback between the curtilages of the new properties and the woodland edge the proposed amendments would not result in any potential adverse impacts on the woodland habitat (Priority Habitat).
2. It was concluded as part of the permitted development that as Oughtonhead Common LNR is located some 0.65km to the north it is physically separated from the site, such that any proposals at the site would be unlikely to result in any direct adverse effects on the designation. The changes proposed would maintain all approved buffers/boundary treatment and would not result in development any closer to the LNR or greater in height than that approved.
3. The proposed amendments would not result in any change to the 12m buffer zones along the western and southern boundaries, in which all existing trees and planting are to be retained and reinforced with additional native planting to provide a robust Green Belt boundary.
4. There would be no greater landscape impact as the changes proposed would maintain all approved buffers/boundary treatment and would not result in development any closer to the western site boundary or greater in height than that approved.
5. The extant permission is supported by a Geophysical Survey and a Trial Trenching Evaluation Report produced by MOLA. These reports remain valid for the determination of the s73 application with the implementation of an appropriate archaeological scheme of investigation to be secured by Condition 19 of the permission.

Compliance with Other Policies

Design and Layout

- 6.5 The Committee Report (Paragraph 5.5.11) for the extant permission states that the proposed development would be in accordance with the NPPF, Local Plan Policies SP9 and HT6 and with the Design SPD as it would result in a well-designed housing development, which protects the character and appearance of the area using landscaping and a suitable layout, which would create its own sense of place and character once operationally established.

Layout

- 6.6 The approved layout incorporates a main spine road, shared surface streets, private driveways and pedestrian footpaths. This structure promoted legibility and accessibility throughout the site, with

pedestrian footways along the main spine road to connect residents with surrounding areas and secondary streets within the development. The proposed scheme maintains this and adopts the same access strategy and internal road layout.

- 6.7 In terms of the layout of the approved scheme, paragraphs 5.5.5 – 5.5.10 of the Committee Report note the informal approach to the layout which being semi-rural/ agrarian in character is suitable for this edge of settlement site. It further references the pleasant entrance to the site that would be provided by the generous green buffer including new landscaping, green space and an area for sustainable drainage and the siting of the dwellings set back to the left and right of the entrance providing a legible route into the site, leading to the central play area along the main spine road through the site as a destination. This would remain as part of the proposed scheme, albeit the central open space would actually be slightly increased due to the relocation of visitor parking spaces shown adjacent to it on the approved layout. Indeed, in response to pre-application comments received from the Council's Urban Design Officer, the opportunity has been taken to relocate these spaces to the south side of the road from the main entrance. The footpath on the corresponding side of the road has also been removed, which helps to optimise space and reduce unnecessary hard surfacing, thereby providing a more even distribution of visitor parking across the development and moving parking and the potential conflicts that could bring away from the play area. A footpath link to Crow Furlong is provided linking the play area to Crow Furlong.
- 6.8 The amended scheme introduces a substation in the northeastern corner of the site in a location where it can serve both this development and that to the north. The proposed substation is needed to provide the additional power required to ensure both developments can be gas free by using Air Source Heat Pumps (ASHP's), providing EV car charging points for all homes and therefore reducing carbon and increasing sustainability of both sites. Following pre-application discussions, the substation has been moved slightly further south away from the site entrance, while still maintaining acceptable off-sets from the SUDS infiltration basin and will be sufficiently screened.
- 6.9 The substation is located within the 12m habitat buffer. However, it occupies a relatively small footprint and elsewhere within the scheme the proposed changes will result in some reductions in built form within the buffer when compared to the approved scheme. The impact of the proposed amendments on biodiversity has been considered, and further on-site enhancements are proposed to ensure the development continues to meet the policy requirements of NE4. Indeed, as the Biodiversity Net Gain Calculation Statement prepared by James Blake Associates explains, the amended scheme can deliver an overall gain of **16.55% or 0.92** for habitat units and gain of **29.94% or 0.97** hedgerow units. These gains significantly exceed those secured by the extant permission (11.35% and 10.51%, respectively) and represent a substantial benefit of the amended scheme.
- 6.10 The hard and soft landscaping proposals (Drawing No.s 181-PS-2-120 to 124, JBA 24/555-02A to 13A &

JBA 24/555-14) have been updated to reflect the amended scheme. The principals upon which the approved landscape strategy was based included retaining and enhancing existing boundary vegetation as part of a 12m buffer, protecting the TPO tree within the central open space and along the southern boundary, incorporating front garden hedges, wildflower grassland and a mown path within the north-western buffer, and additional tree planting. The updated landscape details maintain these principals and build on them by providing greater detail on boundary treatments, planting locations, species mix, grass and wildflower areas, and hardstanding materials within the open spaces. It also incorporates additional landscaping and native planting near the substation to soften its appearance on the approach to the site and enhance the ecological function of the buffer area. Natural play features and a seating area remain within the central open space, enclosed with a knee rail for safety. The updated plan provides a more comprehensive landscape design while remaining consistent with the approved strategy.

Housetypes

- 6.11 The amended scheme proposes the substitution of house types throughout the scheme with some consequential repositioning within plots. Further detail on this, including a comparison of the approved and proposed schemes can be found at page 12 of the Updated Design and Access Statement. As this shows, the proposed scheme seeks to align with the development areas established by the extant permission ensuring that the spaces around them, including the landscape buffers, are maintained.
- 6.12 The properties approved at Plots 10 and 11 were 1.5 storeys in height in response to their location closest to the eastern site boundary and existing development on Crow Furlong. It is proposed that these be replaced with 2 storey properties, however, they would be no greater in height than the approved properties ensuring that the same relationship with the existing properties along Crow Furlong is maintained and they are no more visible from outside the site.

Materials

- 6.13 The approved scheme proposed a relatively simple palette of materials reflective of the local character including brick, black feather board and some rendering. Following further discussion at the pre-application stage officers advised that use of a simple mix of red brick and timber boarding is preferred, with the timber cladding brought lower down on the building façade. The removal of render was also encouraged with the suggestion being that this should be replaced by rendered units with half brick/timber mix, as was the removal of all non-functional chimneys.
- 6.14 In response to this, render has been removed from the palette of materials and replaced with a half brick/timber mix, in keeping with the semi-rural, agrarian character of the area. Timber boarding has also been extended down the façades, and the material strategy now follows a more structured pattern, with brick and timber homes located to the southwest, southeast, and along the north side of the main road, while brick units with clay tile roofs are used in shared road areas. Non-functional chimneys have been

removed, and black fascia's now match the proposed fenestration and guttering throughout the development. Accordingly, the materials and elevational treatment of the homes would remain consistent with those already approved ensuring a cohesive approach to materiality and design and one that is reflective of the character of the site and surrounding area (please refer to Drawing No. 181-PS-2-103 – Proposed Materials Plan and the Design & Access Statement 2025 for further details).

- 6.15 The scheme proposes 47 dwellings accommodated in a manner that meets current design and amenity standards, including minimum national space standards, garden sizes and back-to-back distances, as well as the requirement for 12m landscape buffers and would offer a range of dwelling types, sizes and tenures reflective of local identified needs. On this basis it should be concluded that the development would following amendment continue to represent a high-quality form of development that would accord fully with Policies SP9 (Design and Sustainability) and D1 (Sustainable Design), as well as the provisions of the Council's Design Guide.

Residential Amenity

- 6.16 Section 6 of the Planning Statement (November 2022) notes that the layout of the development has been carefully considered to ensure that an acceptable level of amenity is provided for proposed occupiers and that neighbouring amenity for existing residents is duly protected. The built form is located a sufficient distance from neighbouring properties and garden areas to avoid any privacy and overlooking issues.
- 6.17 While there would be alteration to the individual house types as a result of the proposed changes, the siting of the dwellings themselves would be consistent with the approved layout whereby all would be set well back into the site behind the boundary buffers and in some cases, including Plot 7 along the northern boundary and Plot 10 on the eastern have been pulled in. Accordingly, the separation distances between existing and proposed properties is maintained and in some cases improved. Further, and as explained above, it is proposed that the 1.5 storey properties at Plots 10 and 11 be replaced with 2 storey properties but they would be no greater in height than the approved properties.
- 6.18 Within the development, each house would be provided with usable private gardens, while the flats would have the benefit of accessible and usable communal open space consistent with that proposed by the approved layout and acceptable back-to-back and back-to-side distances between any proposed dwelling would be achieved. For these reasons, there would not be any adverse impact upon living conditions of existing or future occupiers in line with Policy D3 (Protecting Living Conditions).

Housing Mix

- 6.19 The extant permission secures a development of 47 dwellings comprising 6 x 1 bed flats, 13 x 2 bed

houses, 18 x 3 bed houses and 10 x 4 bed houses. This equates to 60% larger (3+bed) dwellings and 40% smaller (1 or 2 bed) dwellings in accordance with Policy HS3 (Housing Mix) and in accordance with Policy SP9 (Design and Sustainability) all dwellings would be compliant with Nationally Described Space Standards.

- 6.20 In line with Policy HS2 (Affordable Housing), 40% or 19 of the proposed dwellings are to be affordable. The affordable mix is secured via the S106 agreement (Schedule 2) as 6 x 1 bed flats, 7 x 2 bed houses, 5 x 3 bed houses and 1 x 4 bed houses. The affordable homes are shown on the approved layout (Drawing No. PL100R) to be located in three clusters (southeast corner, southwestern edge and centrally) and would in design terms be indistinguishable from the market housing.
- 6.21 While no change is proposed to the total number of dwellings, the split between market and affordable dwellings or to the affordable dwelling mix, there would however be a beneficial increase in affordable bed spaces across the development as a result of the replacement of 4no. x 2 bed 3 person dwellings with 4no. 2 bed 4 person dwellings. A slight change is proposed to the distribution of the affordable housing in the central part of the site via the relocation of the 2 x 2 bed affordable dwellings from Plots 27 and 28 to Plots 18 and 19. There would be no change in the south western and south eastern areas and the distribution overall would remain very similar to the approved scheme ensuring tenure integration and that the scheme appears of neutral tenure.
- 6.22 The amended scheme proposes a minor change to the market housing mix from 6 x 2 bed, 13 x 3 bed and 9 x 4 bed homes to 5 x 2 bed, 13 x 3 bed and 10 x 4 bed homes. The market housing mix is not secured by the S106 agreement and this increase by 1 x 4 bed house and consequential reduction by 1 x 2 bed house would not result in any material change in the percentage of smaller to larger dwellings such that the proposals would remain consistent with Policy HS3 (Housing Mix)
- 6.23 As confirmed by the Updated Design and Access Statement all dwellings would continue to be compliant with Nationally Described Space Standards, 33no. homes have been designed to meet building regulations M4(2) 'Accessible and Adaptable Dwellings' standards and 1no. home has been designed to meet the higher M4(3) (Wheelchair accessible) standard.

Open Space Provision

- 6.24 There would be no reduction in the provision for public open space within the development resulting from the proposed amendments. Indeed, around two thirds of the site would continue to be given over to publicly accessible open space, including a central open space, including play area, that provides a focal point within the site and a local destination for children and families. That open space would in fact be increased slightly in size and improved in qualitative terms due to the proposed relocation of the visitor

spaces previously shown adjacent to the open space.

Access and Car Parking

- 6.25 The revised scheme is consistent with the extant permission in terms of access, level of car and cycle parking and servicing arrangements. No change is proposed to the approved access (see Proposed Access Drawing No. 188-TA50D) and pedestrian and cycle access would be provided via the main access off Gray's Lane, and links in the northwest corner to Bridleway Hitchin 004 and southeast corner to Crow Furlong.
- 6.26 Whilst the same access strategy comprising a main spine road, shared surface streets, private driveways and pedestrian footpaths is maintained footpaths have been removed along the main road and roads downgraded to shared surfaces to increase open space throughout the site. The footpath has also been removed along the play area in order to keep the amount of road within the root protection area of the TPO tree to a minimum.
- 6.27 Private driveways have been designed to align with the approved layout, albeit they have been widened to allow tracking to work with parking spaces. The majority of dwellings are served by side-on parking and on-plot front parking with the number of communal parking bays minimised to support a more attractive streetscape and maximise opportunities for soft landscaping. Where garages are proposed, these have been designed to meet with the parking standards as set out within Appendix 4 of the adopted Local Plan. The internal size of the garage will be at least 7m x 3m.
- 6.28 The approved layout allowed for 1no. parking space for 1bedroom units and 2no. spaces for all other units. The garages within the approved application were only 2 .6m x 6 .6m and therefore could not be counted as a parking space. The overall number of parking spaces on the site was 88. The proposed scheme allows for 1no. parking space for 1bedroom units and 2no. spaces for all other units, some of which are within garages. 3no. units have 3 parking spaces. The total number of parking spaces across the proposed scheme is 91 spaces.
- 6.29 The number of visitor spaces (12no.) have been retained and the locations have stayed the same as the approved layout other than the spaces to the north of the play area have been moved to next to the northern attenuation as per pre-application comments. An additional parking space has been provided next to the substation as required for maintaining the substation.
- 6.30 Consistent with the approved scheme, two cycle spaces will be provided for each unit. These will be provided within the garage (if applicable) or within a secured shed within the garden (Drawing No. 181-PS-2-102 – Proposed Parking Plan).

- 6.31 An updated Vehicle Tracking drawing has been produced that demonstrates the refuse vehicles in operation in the district would be able to navigate the site – this can be found at page 20 of the Updated Design and Access Statement.
- 6.32 The site access, parking and layout is therefore appropriate and consistent with the requirements of Policies T1, T2 and HT6.

Trees

- 6.33 The application is supported by an updated Arboricultural Impact Assessment Survey undertaken by Aspect Arboriculture. This confirms that the proposed development would incur tree removal but any losses would be consistent with that resulting from the approved scheme and would be compensated for by replacement planting. The scheme would continue to retain the site's two protected trees and respects the woodland to the south.
- 6.34 For these reasons the amended proposals can be supported from an arboricultural perspective, subject to the proposed mitigation replanting and the adoption of safeguards for protecting trees throughout the development, and continue to be compliant with Policies SP12, D1 & HT6.

Ecology

- 6.35 An Updated Ecological Appraisal has been prepared by Aspect Ecology based on the results of an updated desktop study and up to date extended Phase 1 habitat survey, with reference to protected species where appropriate. This concludes that subject to the implementation of the measures and recommendations set out (in line with the permitted scheme), the proposals have sought to minimise impacts on biodiversity, and it is unlikely that the proposals would result in any significant harm to sensitive ecological receptors. Indeed, where appropriate, opportunities are highlighted (in line with the permitted scheme) to provide a number of ecological enhancement measures as part of the proposals.
- 6.36 As referenced above, an updated Biodiversity Net Gain assessment (Biodiversity Net Gain Calculation Report, July 2025 – James Blake Associates) has been produced, which demonstrates that the amended scheme would deliver substantial gains exceeding those secured by the extant permission.

Air Quality

- 6.37 The extant permission is supported by an Air Quality Assessment undertaken by ENZYGO (September 2023). This report remains valid for the determination of the S73 application.

Flooding & Drainage

- 6.38 A Flood Risk Assessment (April 2023) prepared by MAC was approved as part of the extant permission. This included a Drainage Strategy. That strategy has been updated (Drainage Strategy Update, July 2025) to correspond with the proposed amended layout and updated calculations.
- 6.39 The principals of the approved drainage strategy remain unchanged. Indeed, consistent with the approved scheme, surface water discharge from the proposed development will utilise infiltration techniques where these are viable in the form of permeable paving and an infiltration basin. For the other areas of the site surface water will outfall to the surface water sewer located in Gray's Lane. It is not feasible to use the infiltration basin for these areas due to the level differences. Where surface water discharges from the site the rate of discharge will be restricted to minimum viable run-off rates to ensure that the rate of surface water run-off from the site does not increase as a result of the proposed development.
- 6.40 It continues to be the case that the proposed drainage strategy will comprise a:
- A piped network.
 - Hydrobrake flow control.
 - Permeable paving untanked and tanked for private drives.
 - Infiltration basin
 - Online detention basin.
- 6.41 The proposed surface water drainage strategy is shown on the drawing enclosed at Appendix C of the FRA, while full calculations, which make provision for a 40% climate change allowance, can be found at Appendix E.
- 6.42 As per the approved scheme, foul water would discharge into Anglian Water's foul sewer located in Gray's Lane.
- 6.43 The surface water drainage from this site, post development, is such that the surface water would be managed and disposed of within the site boundary, thus complying with the Planning Practice Guidance for 'Flood Risk and Coastal Change'. Based on the above, providing the above strategies are adopted the needs of the development as proposed to be amended would be adequately catered for and there would be no adverse effects on flood risk or the existing drainage infrastructure thus satisfying the principles of the Framework and Policies NE7 (Reducing Flood Risk) and NE8 (Sustainable Drainage Systems).

Sustainability

- 6.44 The extant permission is supported by Sustainability and Energy Statements prepared by Sol Environmental. As a result of the proposed changes to the house types, an updated statement (Sustainability & Carbon Statement, July 2025) have been produced. The purpose of this is to confirm that the amended proposal satisfies key national and local plan policy objectives, responding to local needs and requirements and conforming to current good practice. It is also intended to satisfy Condition 25.
- 6.45 The Sustainability & Carbon Statement explains that the proposal satisfies a number of key objectives, responding to local needs and requirements and conforming to current good practice achieving a significant 52.6% reduction in CO2 emissions compared to Building Regulations Part L.
- 6.46 The proposed development would therefore contribute positively to the Council's sustainability aims as expressed through Policies SP9, SP11, D1 and NE12, well as meeting national objectives for sustainable development.

Ground Conditions

- 6.47 The extant permission is supported by a Ground Conditions Report prepared by Geo-Environmental Services Limited. This report remains valid for the determination of the S73 application.
- 6.48 The application comprises a Phase II Site Investigation Report confirming that there is no need for any further remediation works and satisfies the requirements of Condition 6.

S106 Agreement

- 6.49 The extant permission is the subject of planning obligations set out in a legal agreement dated 13th March 2024. The proposed amendments would not result in any need to vary that agreement.

Conclusion

- 6.50 For the reasons set out above, the key principles established by the permitted development, as set out below, are retained as part of the changes proposed such that the scheme as proposed to be amended would be compliant with policy:
- 47No. new homes of which 19No. would be affordable comprising 6 x 1 bed flats, 7 x 2 bed houses, 5 x 3 bed houses and 1 x 4 bed houses as secured by the Section 106 agreement.

- Provision of more affordable bed spaces by providing 4no. x 2 bed 4 person dwellings instead of 4no. x 2 bed 3 person dwellings.
- All dwellings will be no greater in height than those approved in that location.
- All dwellings compliant with Nationally Described Space Standards and the majority of dwellings designed to meet either building regulations M4(2) 'Accessible and Adaptable Dwellings' standards or the higher M4(3) (Wheelchair accessible) standard.
- An informal layout reflective of the semi-rural, agrarian character of the site and settlement edge location with all dwellings offset from the site boundaries behind a 12m complimentary habitat buffer.
- Vehicular access via an extension of Gray's Lane to the north-west providing access to both this development and that permitted to the north (HT5).
- Pedestrian and cycle access via the main access off Gray's Lane, as well as links in the northwest and southeast corners on Bridleway Hitchin 004 and Crow Furlong, respectively.
- A layout that incorporates a generous green buffer around the site entrance including new landscaping, green space and an area for sustainable drainage to visually separate the site from the existing residential area and provide a pleasant entrance to the site and natural surveillance.
- The design of properties incorporating a limited palette of materials including brick and timber boarding providing a sense of cohesion across the site and reflecting an agrarian character suitable for the semi-rural location.
- Provision for car and cycle parking in accordance with adopted standards.
- Two thirds of the site given over to publicly accessible open space, including a central open space, including play area, that provides a focal point within the site and a local destination for children and families.
- Provision of sustainable drainage features, including two attenuation ponds (one at the entrance to the site and one in the western part of the site) and swale features alongside the woodland to the south.
- Retention and enhancement of existing vegetation structure along the site boundaries with new tree, shrub and hedgerow planting, that provides a green setting to the proposals and would integrate the development into the wider landscape context.
- Retention of key trees, including those protected by TPO, within areas of open space, with suitable development offsets to ensure future long-term health and growth.

7.0 CONCLUSION

- 7.1 The site benefits from an extant planning permission and the amendments sought by applicants to the approved development present an opportunity to further enhance a high-quality sustainable development by altering house types to increase their usability and design quality and achieve greater consistency in terms of design, materials and elevational treatment between this development and that permitted on their neighbouring Lucas Lane site. The details provided pursuant to pre-commencement conditions 5, 6, 7, 8, 9, 11, 13, 18, 21, 22, 25, 26, 27 and 28 satisfy their requirements and negate the need for those conditions to be carried over to the new permission.
- 7.2 The Planning Statement (November 2022) summarises the proposals that comprised the extant permission, its planning benefits and provides an overview in support of favourably determining the planning application. This Addendum Planning Statement (June 2025) confirms that the above conclusion does not change as a result of the proposed amendments by this S73 application.
- 7.3 The applicant respectfully requests that the Council supports the proposed amendments and that this application is approved on the grounds that it meets the test for a S73 application, and the scheme as proposed to be amended retains the key principles established by the permitted development and is entirely compliant with relevant policy.

Appendix 1:

Schedule of Application Documents and Drawings

Appendix 1: S73 Planning Application by Hill Residential
Land to the East of Foxholes and Gainsford House and on the West Side of, Crow Furlong, Hitchin
Schedule of Application Documents and Drawings – July 2025

Approved Documents		New/ Updated Documents July 2025	
Document Title	Author	Document Title	Author
Air Quality Assessment (September 2023)	REC	-	-
Arboricultural Impact Assessment (November 2022)	Aspect Arboriculture	Arboricultural Impact Assessment (June 2025)	Aspect Arboriculture
Archaeological Assessment (Geo-physical Survey, April 2017 & Trial Trenching Report, June 2017)	MOLA	-	-
Design and Access Statement	AT Architecture	Design and Access Statement (July 2025)	Hill Residential
Updated Ecological Appraisal (incl. Biodiversity Net Gain Assessment) (November 2022)	Aspect Ecology	Updated Ecological Appraisal (June 2025)	Aspect Ecology
		Biodiversity Net Gain Calculation Statement (June 2025)	James Blake Associates
Flood Risk Assessment (incl. Drainage Strategy) (April 2023)	MAC Consulting	Drainage Strategy Update (July 2025)	MAC Consulting
Ground Investigation Report (November 2020)	Geo-Environmental	-	-
Landscape and Visual Impact Assessment (May 2023)	Aspect Landscape	-	-
Planning Statement (November 2022)	Armstrong Rigg Planning	Addendum Planning Statement (July 2025)	Armstrong Rigg Planning
Sustainability Statement (incl. Appendix 1 Energy Statement) (February 2022)	Sol Environment	Sustainability & Carbon Statement (June 2025)	Sol Environment
Technical Note on Access (November 2022)	MAC Consulting	-	-
Transport Assessment (November 2022)	MAC Consulting	-	-
Travel Plan (November 2022)	MAC Consulting	-	-
		Biodiversity Net Gain – Landscape and Ecological Management and Maintenance Plan (July 2025)	James Blake Associates
		Construction Phasing & Environmental Management Plan (July 2025)	Hill
		Phase II Ground Investigation Report (September 2023)	JPP

Appendix 1: S73 Planning Application by Hill Residential
Land to the East of Foxholes and Gainsford House and on the West Side of, Crow Furlong, Hitchin
Schedule of Application Documents and Drawings – July 2025

		Site Waste Management Plan (July 2025)	Hill
		Lighting Strategy (July 2025)	DW Windsor

Approved Drawings		Proposed Drawings	
Drawing Title	Drawing No.	Drawing Title	Drawing No.
Location Plan	A1622 220126 EX100	Location Plan	181-PS-2-100
Proposed Layout	A1622 220126 PL100R	Proposed Site Plan	181-PS-2-101
Proposed Parking Plan	A1622 220126 PL110D	Proposed Parking Plan	181-PS-2-102
Proposed Materials Plan	A1622 220126 PL120E	Proposed Materials Plan	181-PS-2-103
Proposed Housing Mix	A1622 220126 PL130D	Proposed Housing Mix	181-PS-2-104
Proposed Tenure Plan	A1622 220126 PL140D	Proposed Tenure Plan	181-PS-2-105
Proposed Boundary Plan	A1622 220126 PL150D	Proposed Boundary Plan	181-PS-2-106
Waste & Recycling Plan	A1622 220126 PL160E	Waste & Recycling Plan	181-PS-2-107
Proposed Private & Public Areas	A1622 220126 PL340E	Proposed Private & Public Areas	181-PS-2-108
Proposed House Type Plan	A1622 220126 PL350A	Proposed House Type Plan	181-PS-2-109
-		Proposed Ground Floor Layout	181-PS-2-110
-		Proposed Hardscaping Plan	181-PS-2-120
-		Proposed Hardscaping Plan	181-PS-2-121
-		Proposed Hardscaping Plan	181-PS-2-122
-		Proposed Hardscaping Plan	181-PS-2-123
-		Proposed Sections	181-PS-2-124
		Proposed Hydrant Locations	181-PS-2-130
		Temporary Run-Off Plan	181-PS-2-140
House Type A	A1622 220126 PL170A	Housetype A - Detached	181-PS-2-200
		Housetype A - Semi	181-PS-2-201
House Type B	A1622 220126 PL180A	Housetype B	181-PS-2-210

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Schedule of Application Documents and Drawings – July 2025

House Type C	A1622 220126 PL190A	Housetype C	181-PS-2-220
House Type D	A1622 220126 PL200A	Housetype D	181-PS-2-230
House Type E	A1622 220126 PL210A	Housetype E	181-PS-2-240
House Type F	A1622 220126 PL220B	Housetype F - Detached	181-PS-2-250
		Housetype F - Semi	181-PS-2-251
House Type G	A1622 220126 PL230A	Housetype G	181-PS-2-260
House Type H	A1622 220126 PL240	Housetype H	181-PS-2-270
		Housetype H with Garage	181-PS-2-271
House Type I	A1622 220126 PL250A	Housetype I	181-PS-2-280
House Type J	A1622 220126 PL260	Housetype I with Garage	181-PS-2-281
House Type K	A1622 220126 PL270A	Housetype J	181-PS-2-290
House Type L	A1622 220126 PL280B	Housetype K - Detached	181-PS-2-300
-	-	Housetype K - Semi	181-PS-2-301
-	-	Housetype L - Detached	181-PS-2-310
-	-	Housetype L - Semi	181-PS-2-311
House Type M	A1622 220126 PL185	Housetype M	181-PS-2-320
-	-	Housetype N - Detached	181-PS-2-330
-	-	Housetype N - Semi	181-PS-2-331
-	-	Housetype O	181-PS-2-340
-	-	Housetype P	181-PS-2-350
-	-	Garages	181-PS-2-400
-	-	Substation	181-PS-2-410
-	-	Bin & Bike Store	181-PS-2-420
Street Scenes (Plots 16-21)	A1622 220126 PL290A	Street Scene 1 (Plots 17-23)	181-PS-2-500
Street Scenes (Plots 1, 8, 9 & 10)	A1622 220126 PL300A	Street Scene 2 (Plots 38-47)	181-PS-2-501
Street Scenes (Plots 7, 6, 5, 4, 3, 2 & 25, 24, 31, 32)	A1622 220126 PL305A	Street Scene 3 (Plots 1,8-10)	181-PS-2-502
Street Scenes (Plots 11-15 & 44-47)	A1622 220126 PL295A	Street Scenes 4 (Plots 2-7) & Street Scene 5 (Plots 26-29, 34/35)	181-PS-2-503
Section AA	A1622 220126 PL310A	Site Section AA	181-PS-2-510
Section BB	A1622 220126 PL320A	Site Section BB	181-PS-2-511

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Land to the East of Foxholes and Gainsford House and on the West Side of, Crow Furlong, Hitchin
Schedule of Application Documents and Drawings – July 2025

Section CC	A1622 220126 PL330A	Site Section CC	181-PS-2-512
-	-	GIA vs Space Standards	181-PS-2-610
Proposed Access Drawing	188-TA50D	-	-
Landscape Strategy Plan	6089/ASP4/LSPM	Hard & Soft Landscape Proposals for Plots & POS	JBA 24 555 02A
			JBA 24 555 03A
			JBA 24 555 04A
			JBA 24 555 05A
			JBA 24 555 06A
			JBA 24 555 07A
			JBA 24 555 08A
			JBA 24 555 09A
			JBA 24 555 10A
			JBA 24 555 11A
			JBA 24 555 12A
			JBA 24 555 13A
		Landscape Overview Plan	JBA 24 555 14
Infiltration Basin – Cross Sectional	188-FRA 107	-	-

Appendix 2:

Information to Satisfy Planning Conditions

Appendix 2: Schedule of Information to Satisfy Planning Conditions

Condition No.	Requirement	Drawing/ Document Ref.
5	Prior to commencement full details of soft and hard landscaping will be submitted to and approved in writing by the Local Planning Authority. Details will include: Soft Landscape a) Details of trees, hedgerows, habitats, ponds and other natural features it is proposed to retain or remove and details of how they will be protected during the construction phase. Such details to include the tree protection measures in accordance with BS5837:2012. b) Full details of planting plans and written specifications, including cultivation proposals for maintenance and management associated with plant and grass establishment, details of the mix, size, distribution, density and levels of all trees/hedges/shrubs to be planted and the proposed time of planting. The planting plan shall use botanic names to avoid misinterpretation. The plans should include a full schedule of plants; c) 1:100 plans (or at a scale otherwise agreed) with cross-sections of mounding, ponds, ditches and swales and proposed treatment of the edges and perimeters of each development phase; d) The landscape treatment of roads; e) A specification for the establishment of trees within hard landscaped areas including details of space standards (distances from buildings etc.), tree pit details and details of the species, number and spacing of trees and shrubs; f) The planting and establishment of structural landscape to be provided in advance of all or specified parts of the site as appropriate; g) Full details of any proposed alterations to existing watercourses/drainage channels and details of any water features; Hard Landscape h) Full details, including cross-sections, of all bridges and culverts; i) The location and specification of minor artefacts and structures, including furniture, refuse or other storage units, signs and lighting columns/brackets; j) 1:200 plans (or at a scale otherwise agreed) including cross sections, of roads, paths and cycleways; k) Details of all hard surfacing materials (size, type and colour).	Hard & Soft Landscape Proposals for Plots & POS - Drawing No. JBA 24 555 02A Drawing No. JBA 24 555 03A Drawing No. JBA 24 555 04A Drawing No. JBA 24 555 05A Drawing No. JBA 24 555 06A Drawing No. JBA 24 555 07A Drawing No. JBA 24 555 08A Drawing No. JBA 24 555 09A Drawing No. JBA 24 555 10A Drawing No. JBA 24 555 11A Drawing No. JBA 24 555 12A Drawing No. JBA 24 555 13A Drawing No. JBA 24 555 14 Proposed Hardscaping Plans - Drawing No. 181-PS-2-120 Drawing No. 181-PS-2-121 Drawing No. 181-PS-2-122 Drawing No. 181-PS-2-123 Proposed Sections - Drawing No. 181-PS-2-124 Arboricultural Impact Assessment, June 2025 – Aspect Arboriculture
6	a) 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;	Phase II Ground Investigation Report, September 2023 - JPP

Appendix 2: Schedule of Information to Satisfy Planning Conditions

	(ii) The results from the application of an appropriate risk assessment methodology. b) 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 (a), above; has been submitted to and approved by the Local Planning Authority. c) 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 (b) 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. d) Any contamination, other than that reported by virtue of condition (a), 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.	
7	Development shall not commence until a biodiversity net gain management plan (BNGMP) has been submitted to, and approved in writing by, the local planning authority. The content of the BNGMP shall ensure the delivery of the agreed number of habitat and hedgerow units as a minimum (+0.47 habitat units, +0.64 hedgerow units) to achieve a net gain in biodiversity and include the following. a) Description and evaluation of habitat parcels to be managed, cross referenced to individual lines in the metric. b) Maps of all habitat parcels, cross referenced to corresponding lines in the metric. c) Appropriate management options for achieving target condition for habitats as described in the approved metric. d) Preparation of an annual work schedule for each habitat parcel (including a 30 year work plan capable of being rolled forward in perpetuity). e) Details of the body or organisation responsible for implementation of the plan. f) Details of species selected to achieve target habitat conditions as identified in approved metric, definitively stated and marked on plans. g) Ongoing monitoring plan and remedial measures to ensure habitat condition targets are met. h) Reporting plan and schedule for informing LPA of condition of habitat parcels for 30 years.	Biodiversity Net Gain – Landscape and Ecological Management and Maintenance Plan (July 2025) – James Blake Associates

Appendix 2: Schedule of Information to Satisfy Planning Conditions

	The BNGMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the BNGMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.	
8	No development shall commence until details of 20 integrated swift boxes and 20 integrated bat boxes have been submitted and approved by the LPA. These devices shall be fully installed prior to occupation and retained as such thereafter.	Biodiversity Net Gain – Landscape and Ecological Management and Maintenance Plan (July 2025) – James Blake Associates Hard & Soft Landscape Proposals for Plots & POS - Drawing No.s JBA 24 555 02A, 03A, 04A, 05A, 06A, 07A, 08A, 09A, 10A, 11A, 12A, 13A &14.
9	No development apart from enabling and associated works shall take place until details of a scheme for the provision of fire hydrants to serve the relevant phases of the development has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority. The provision and installation of fire hydrants, at no cost to the County or Fire & Rescue Service.	Drawing No. 181-PS-2-130 – Proposed Hydrant Locations
11	Development shall not commence until details and a method statement for interim and temporary drainage measures during the demolition and construction phases have been submitted to and approved in writing by the Local Planning Authority. This information shall provide full details of who will be responsible for maintaining such temporary systems and demonstrate how the site will be drained to ensure there is no increase in the off-site flows, nor any pollution, debris and sediment to any receiving watercourse or sewer system. Where temporary discharges to a sewer are proposed, written confirmation from the sewer owner that these have been accepted shall be provided. The site works and construction phase shall thereafter be carried out in accordance with the approved method statement unless alternative measures have been subsequently approved by the Planning Authority.	Drawing No. 181-PS-2-140 – Temporary Run-Off Plan
13	No development shall commence until a Construction phasing and environmental Management Plan 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: For the purposes	Construction Phasing and Environmental Management Plan (July 2025) - Hill

Appendix 2: Schedule of Information to Satisfy Planning Conditions

	of both the Highway Authority and Environmental Health, the Plan will include: - hours of construction operations including times of deliveries and removal of waste and to avoid school pick up/drop off times; - site set up and general arrangements for storing plant including cranes, materials, machinery and equipment, temporary offices and other facilities, construction vehicle parking and loading/unloading and vehicle turning areas; - the location of construction traffic routes to and from the site, details of their signing, number and type of construction vehicles, monitoring and enforcement measures; - 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; - siting and details of wheel washing facilities for construction vehicles leaving the site; - end of day tidying procedures to ensure protection of the site outside the hours of construction, including cleaning of site entrances, site tracks and the adjacent public highway. The construction activities shall be designed and undertaken in accordance with the code of best practice set out in British Standard 5228 1997 and with the agreed details unless otherwise agreed in writing by the Local Planning Authority; - Details of the construction site liaison contact for the use of local residents if required The Plan for purposes of Environmental Health shall include the following elements: - measures to minimise dust, noise, machinery and traffic noise impacts during construction; - screening and hoarding details, to protect neighbouring residents; - storage and removal of building waste for disposal or recycling; - The Plan for the purposes of Highway Authority shall also include details of: - Access arrangements to the site; - Traffic management requirements - Post construction restoration/reinstatement of the working areas and temporary access to the public highway; - Impacts to the public rights of way and diversions if required.	
18	No development shall take place until a Site Waste Management Plan (SWMP) for the site has been submitted to the Local Planning Authority and approved in consultation with the Waste Planning Authority. The SWMP should aim to reduce the amount of waste being produced on site and should contain information including estimated and actual types and	Site Waste Management Plan (July 2025) - Hill

Appendix 2: Schedule of Information to Satisfy Planning Conditions

	amounts of waste removed from the site and where that waste is being taken to. The development shall be carried out in accordance with the approved SWMP.	
21	Prior to or concurrent with the first reserved matters submitted in each phase identified in Condition 6 a detailed Open Space Management and Maintenance Scheme for the management and maintenance of all areas of open space (to include parks, greenways, allotments, play areas, informal open space, semi- natural green space, public squares) shall be submitted to and agreed in writing by the Local Planning Authority and implemented in accordance with an agreed timetable and phasing strategy approved under condition 6. Details to be submitted shall include: a) Management organisation; b) Details of landscape management and maintenance plans; c) Details of planting, grass cutting, weeding and pruning; d) Management of sustainable urban drainage features; e) Inspection, repair and maintenance of all hard landscaping and structures; f) Management, monitoring and operational restrictions; and g) Maintenance and planting replacement programme for the establishment period of landscaping. The open spaces provided shall be retained for their intended purpose and in accordance with the approved management plan unless otherwise agreed in writing by the local planning authority.	Biodiversity Net Gain – Landscape and Ecological Management and Maintenance Plan (July 2025) – James Blake Associates
22	Details and/or samples of materials to be used on all external elevations and the roof of the development permitted shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced and the approved details shall be implemented on site.	Drawing No. 181-PS-2-103 - Proposed Materials Plan Design & Access Statement (July 2025) - Hill
25	Prior to commencement a site-wide sustainability strategy shall be submitted to the Local Planning Authority for approval addressing renewable energy, reducing carbon emissions and water conservation.	Sustainability & Carbon Statement, June 2025 – Sol Environment
26	Before the occupation of any of the dwellings hereby permitted, facilities for two cycle parking spaces shall be shown on a plan. Details shall be approved in writing by the Local Planning Authority prior to commencement and the approved details shall be implemented on site and shall thereafter be kept available for the parking of bicycles.	Drawing No. 181-PS-2-102 – Parking Plan
27	Details shall be submitted for the route and surfacing of two footpath links from the site to Bridleway 004 and Crow Furlong as shown on the approved plans. Details shall be approved in writing by the Local	Proposed Hardscaping Plans - Drawing No. 181-PS-2-120 Drawing No. 181-PS-2-122

Appendix 2: Schedule of Information to Satisfy Planning Conditions

	Planning Authority prior to commencement and the approved details shall be implemented on site.	
28	Prior to the commencement of the development hereby approved, a scheme of sensitively designed lighting strategy shall be submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall include and consider temporary construction lighting as well as more permanent lighting associated with the development hereby approved. Light-spill (including from temporary construction lighting) onto retained and newly created habitat, in particular the retained woodland habitat forming the south of the site, should be minimised in accordance with good practice guidance, as set out in footnote 15 of the approved Updated Ecological Report by Aspect Ecology referenced 1005083 UEcoAp vf12 CL dated 15/11/2022. The sensitively designed lighting strategy shall consider the following key factors: ▪ Light exclusion zones ▪ Variable Lighting Regimes ▪ Light barriers ▪ Spacing and height of lighting units ▪ Light intensity ▪ Directionality	Lighting Strategy (July 2025) – DW Windsor

Appendix 3:

**NHDC's Written Pre-Application Response dated 14th
May 2025**

Taylor Andrews

Our Ref: 25/00862/PRE

Contact: Sarah Kasparian
Direct Line: 01462 474251
Email: sarah.kasparian@north-herts.gov.uk
Date: 14th May 2025

Dear Sir / Madam,

Pre Application Advice: Section 73 layout and housetype pack for Land at Gray's Lane, Hitchin (ref: 22/03092/FP)
Land To The East Of Foxholes And Gainsford House And On The West Side Of, Crow Furlong, Hitchin, Hertfordshire
Residential development of 47 dwellings and associated car parking, open space, landscaping and creation of access off Gray's Lane (as amended)

I write regarding your pre-application advice request for the proposed changes to full planning permission 22/03092/FP. We met online on 8th May and discussed the main areas of change. In completing this letter I have added comments from the Senior Urban Design Officer.

The submitted plans and documents received 14th March 2025 include:

- Cover letter
- S73 Pre-app1 Ground floor plan
- S73 Pre-app1 Site Layout
- S73 Pre-app1 Housetype Plan A and
- S73 Pre-app1 Housetypes

Further changes were submitted on 8th May 2025 to include changes to the designs of homes titled 'Pre-app Presentation' and including altering material and details.

Relevant policies:

North Hertfordshire Local Plan 2011 - 2031 (Adopted)

Policy SP1 Sustainable Development in North Hertfordshire
Policy SP2 Settlement Hierarchy and Spatial Distribution
Policy SP6 Sustainable Transport
Policy SP7 Infrastructure requirements and developer contributions
Policy SP8 Housing
Policy SP9 Design and Sustainability
Policy SP10 Healthy Communities
Policy SP11 Natural resources and sustainability

North Herts Council, PO Box 10613, Nottingham, NG6 6DW

Policy SP12 Green infrastructure, landscape and biodiversity
Policy SP13 Historic environment
Policy SP17 Site HT1 – Highover Farm, Hitchin
Policy T1 Assessment of Transport Matters
Policy T2 Parking
Policy HS2 Affordable housing
Policy HS3 Housing mix
Policy HS5 Accessible and adaptable housing
Policy D1 Sustainable Design
Policy D3 Protecting living conditions
Policy D4 Air quality
Policy NE4 Biodiversity and geological sites
Policy NE6 New and improved open space
Policy NE8 Sustainable drainage systems
Policy NE11 Contaminated land
Policy HE4 Archaeology

National Planning Policy Framework 2023 (generally and specifically)

Section 2 – Achieving sustainable development
Section 5 – Delivering a sufficient supply of homes
Section 8 – Promoting healthy communities
Section 9 – Promoting sustainable transport
Section 11 – Making effective use of land
Section 12 – Requiring good design
Section 15 – Conserving the natural environment

SPDs and Other

Vehicle Parking at New Developments SPD - November 2011
Design SPD - July 2011
Developer Contributions SPD – January 2023

Site:

The application site relates to site allocation ref. HT6 in the Local Plan adopted 2022. The site comprises a square shaped paddock land to the north of Hitchin's existing built-up area. The boundary of the site comprises hedgerow and sporadic trees. The vehicular access is located at the end of Gray's Lane in the southeastern corner. Full planning permission was granted in March 2024 for 47 new homes, as described above, ref 22/03092/FP.

Proposal:

The changes to the permitted development that are the subject of the pre-application enquiry relate to the following, with a view to these being the subject of a future s73 application:

1. Change to housetypes of affordable housing and positioning of units on site
2. A new substation in the northeast corner next to the site vehicular access
3. Changes to the proposed house types with subsequent changes to the site plan
4. Changes to sizes and positioning of garages on site

It might be that all these changes are too significant to consider this all under a s73 application. Evidence should be provided to support any future application.

Officers View:

- Affordable housing

Please see attached a full copy of the Housing Supply Officers memo. Here is a summary of points that as we understand it, and that need to be addressed:

1. Housing mix is prescribed in the s106, any change to that would require a Deed of Variation
2. Objection to the loss of 2x 2 bed houses, which is not acceptable for family living and the high need across the district
3. Objection to the increase of flats, which is not acceptable as this is not an appropriate location
4. Housing tenure information is required
5. The affordable housing is not dispersed across the site as well as previously. 8 units before compared to 3 units now, otherwise the rest is located in the southwest corner
6. Check NDSS
7. Social or affordable rent is acceptable, AR needs to be no more than 80% of local market rent, see memo.

We note the position of gardens to affordable home units, which appear significantly smaller and of not especially useable, being awkward shapes and particularly narrow in places. The previously approved layout is preferable from these points on affordable housing. Affordable units should be indistinguishable from market units; the site should appear of neutral tenure, which the proposed layout does, which includes different house types for affordable units compared to market units. Proposed changes to the 'walk up flats' to move two doors from the front would be welcomed if this housetype it to remain.

Our view is that these changes to affordable housing amount to more than minor material amendments to the planning permission. Changes to affordable housing mix and tenure will require a Deed of Variation to the agreed s106.

- Substation

The onus is on the applicant to demonstrate that the proposed substation included in a s73 would not alter the operative part of the permission.

The proposed position next to the entrance is highly visible and would have a detrimental impact on the character of the site. We suggest seeking an alternative position. In addition, the proposed siting is within the 'complimentary habitat' buffer of 12m from existing hedgerows. Built form within the buffer is contradictory to NHLP Policy NE4. The applicant could explore the potential for the substation to contribute to 'complimentary habitat' and review its impact on BNG requirements which all adds to the planning balance. Consideration could be given alternatively, to how the buffer is enhanced or offset elsewhere on the site.

On discussion with the Senior Urban Design Officer, in also considering the proposed visitor parking spaces around the play area, that visitor parking spaces could be located along the south side of the road from the main entrance, along by the SUDS and/or units 8 and 15. These spaces could be utilised as visitor spaces and also for the parking at the substation. This would reduce need to development within the complimentary buffer, whilst also relocating parking so close to the play area. You could review whether a footpath is needed along both sides of the road into the site if parking could be relocated.

- **Housetypes**

We have some concerns about altering the housetypes. Proposed positioning and orientation of homes need to react to their setting better, as per the approved scheme, such as double fronted units on corner plots, and units that still turn the corner well. Ensure that proposed units comply with the technical floorspace standards.

The character and appearance of proposed dwellings should be in keeping with the semi-rural and agrarian nature of the site on the edge of Hitchin. Designs that use a simple mix of red brick and timber boarding are preferred, with the timber cladding brought lower down on the building façade. The removal of render is supported, and we suggest replacing rendered units with half brick/timber mix. It might be helpful in any future submission to have a basic approach to where certain materials are located on site, rather than 'pepper potting' materials around the site randomly: such as half brick/timber homes with slate roofs located along the main road, for way finding and place making, and brick units and clay tile roofs located on the shared road.

The removal of all non-functional chimneys would be supported, although if they can be used for ventilation/extraction we appreciate that they can add to character. There is no objection to the proposed changes for black fascia to match fenestration and guttering. There is a preference to not use 'fake windows'.

Evidence should be provided to demonstrate that the extent of the changes made to housetypes do not amount to more than minor material amendments.

- **Garages**

The proposed changes show a reorganisation of garages to consolidate built form and increase their size. The recommended size for single garages is 3m x 7m. We agreed a slight variation on that for the recently approved NMA ref 25/00557/NMA. In principle the number of garages on site should be kept to a minimum.

We support the use of garages that form a parking space, including integral garages, and those that can accommodate cycle parking. Garages should not be unnecessarily larger than required.

- **Other layout changes**

We note that no footpath is shown to be provided between units 47 and 11 from Crow Furlong. Whilst the subject of a condition, this should be considered in the layout.

The Senior Urban Design Officer proposed that the greenspace in front of units 42 and 43 could go through, rather than creating a block, which will attract unwanted parking areas. There was a plan submitted with the planning permission indicating public and private areas. Its purpose was quite fulfilled previously in identifying land that would be private; highways (or management company); and greenspaces to be adopted by NHC. There are several greenspaces in front and to the side of units and its future management is not clear. It would be worth examining that for any future layout. Boundary treatment and landscaping can be used to help manage these spaces. The Senior Urban Design Officer reiterated that a landscaping strategy will be welcomed in any future application.

Conclusion:

The current proposal would not be supported at this stage by officers in relation to affordable housing, namely the housing mix, the position of units within the site and their proposed garden configuration; and the position of the substation at the site entrance in the complimentary habitat buffer. The impact of changes to AH would be more than minor material amendment. A review is recommended of the final layout, as well as landscaping, stewardship, housetypes and garages. It would be helpful to provide evidence for the justification in your approach to any future submission.

We trust that the above is helpful. Any advice given by Council Officers for pre-application enquiries does not constitute formal response or decision of the Council with regards to future planning permission or consents.

Yours faithfully,

Sarah Kasparian

Senior Planning Officer

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Appendix 4:

**Schedule of Changes Made in Response to NHDC's
Written Response**

Gray's Lane, Hitchin

Date	Section	Council Comments	Status	Hill Comments
16.05.2025	Affordable Housing	We note the position of gardens to affordable home units, which appear significantly smaller and of not especially useable, being awkward shapes and particularly narrow in places.		Affordable homes have been redesigned to create for larger, more usable garden spaces with improved layouts. Garden provision for the affordable homes is now consistent with the approved scheme.
		Affordable units should be indistinguishable from market units; the site should appear of neutral tenure, which the proposed layout does, which includes different house types for affordable units compared to market units.		The affordable units are now more evenly distributed across the southwestern, southeastern, and central areas of the scheme. The distribution is now very similar to the approved scheme and will ensure tenure integration and that the scheme appears of neutral tenure. A mixture of affordable house types create a variety of homes diversifying the type of affordable homes available on this site.
		In general terms the proposed new layout of the scheme means that more of the affordable units are now squashed up at the back of the site, with only three affordable units positioned elsewhere. This compared to the current layout where eight units are positioned elsewhere. The current layout presents more of an integrated scheme with the affordable units physically indistinguishable from the market units.		
		Proposed changes to the 'walk up flats' to move two doors from the front would be welcomed if this house type is to remain.		Plots 34 and 35 remain as walk-up flats, and the door arrangement has been revised to include one entrance on the front elevation and one on the side, in line with previous feedback.
		There is high housing need across the district for two bedroom family houses for rent and the loss of 2 x two bedroom houses for rent would not be acceptable. The open plan living arrangement of the proposed two bedroom flats is not ideal for families if people are trying to relax and watch tv whilst others are working/doing homework.		The initial removal of 2 x two-bedroom affordable rented houses in favour of 2 x two bed flats has been reversed. The revised affordable mix now fully accords with the agreed S106 obligations, with the addition of increased persons per home, 2 bed homes have increased from 3 persons to 4 person homes.
		Provision of family homes with gardens is considered more appropriate.		
	Substation	The number of flats for intermediate affordable housing tenure was low and the applicant has provided all flats with the outside appearance of a dwelling house and separate gardens. The provision of 2 x two bedroom flats instead of 2 x two bedroom houses may be more acceptable to the council for the intermediate affordable housing tenure units.		
		The proposed position next to the entrance is highly visible and would have a detrimental impact on the character of the site. We suggest seeking an alternative position. In addition, the proposed siting is within the 'complimentary habitat' buffer of 12m from existing hedgerows. Built form within the buffer is contradictory to NHLP Policy NE4. The applicant could explore the potential for the substation to contribute to 'complimentary habitat' and review its impact on BNG requirements which all adds to the planning balance. Consideration could be given alternatively, to how the buffer is enhanced or offset elsewhere on the site.		The substation has been moved slightly south to come away from the site entrance. We have assessed whether the substation could be relocated and due to technical constraints, we are not able to move the substation further away from the site entrance due to the minimum 5m offset from the SUDS infiltration basin. A grass crete parking area for the substation has been introduced. The feasibility of a green roof was also investigated as a potential enhancement to support the aims of Policy NE4 and mitigate visual impact. Our appointed utility provider (GTC) has confirmed that they would not adopt or assume responsibility for a substation structure incorporating a green roof. This would require an alternative party, such as a management company to retain ownership of the building and enter into a lease arrangement with GTC for the operation of the transformer equipment. This significantly complicates delivery, introducing additional legal and operational burdens. As the open space within which the substation sits is intended for transfer to the District Council (as currently requested), the inclusion of a green roof would likely require the Council to assume ownership of the substation building. This is not considered a viable or appropriate long-term arrangement, and accordingly, the green roof proposal is not being pursued. To address the concerns raised, we are proposing additional landscaping and native planting near the substation. This approach will help to soften its visual impact on the approach to the site and enhance the ecological function and value of the buffer area. While the substation remains within the 12m habitat buffer, it occupies a relatively small footprint, and other proposed layout changes have resulted in either none, or a small reduction in built form within the buffer when compared to the approved scheme. Our ecologist is reviewing the overall impact on BNG, and further on-site enhancements or off-site offsetting will be used where necessary to ensure the development continues to meet the policy requirements of NE4.
		On discussion with the Senior Urban Design Officer, in also considering the proposed visitor parking spaces around the play area, that visitor parking spaces could be located along the south side of the road from the main entrance, along by the SUDS and/or units 8 and 15. These spaces could be utilised as visitor spaces and also for the parking at the substation. This would reduce need to development within the complimentary buffer, whilst also relocating parking so close to the play area. You could review whether a footpath is needed along both sides of the road into the site if parking could be relocated.		Visitor parking spaces previously located adjacent to the LAP have been relocated to the south side of the road from the main entrance, in line with the Urban Design Officer's recommendation. The footpath on the corresponding side of the road has also been removed, which helps to optimise space and reduce unnecessary hard surfacing, thereby providing a more even distribution of visitor parking across the development. With regard to servicing the substation, while it was suggested that one of these relocated visitor spaces could also serve this purpose, this was not feasible due to the operational and access requirements of UK Power Networks. The substation requires direct and unobstructed maintenance access that is not achievable from the visitor bays due to distance and the presence of intervening landscaping and level differences. Instead, a grass-crete access solution has been proposed, which provides the necessary vehicular access in an unobtrusive manner. This approach minimises the visual and ecological impact on the complimentary buffer area, maintaining permeability and green character while ensuring the substation remains serviceable.

	House types	Proposed positioning and orientation of homes need to react to their setting better, as per the approved scheme, such as double fronted units on corner plots, and units that still turn the corner well.		All corner plots are dual aspect, which is similar to the consented layout and therefore addresses the street scenes. We have altered plot 16 so that the front door is positioned facing towards the main road and now provides an end focal point to the road that comes from the north-west.
		The character and appearance of proposed dwellings should be in keeping with the semi-rural and agrarian nature of the site on the edge of Hitchin. Designs that use a simple mix of red brick and timber boarding are preferred, with the timber cladding brought lower down on the building façade. The removal of render is supported, and we suggest replacing rendered units with half brick/timber mix.		Rendered units have been removed and replaced with a half brick/timber mix, in keeping with the semi-rural, agrarian character of the area. Timber boarding has also been extended down the façades, and the material strategy now follows a more structured pattern, with brick and timber homes located to the southwest, southeast, and along the north side of the main road, while brick units with clay tile roofs are used in shared road areas.
		It might be helpful in any future submission to have a basic approach to where certain materials are located on site, rather than 'pepper potting' materials around the site randomly: such as half brick/timber homes with slate roofs located along the main road, for way finding and place making, and brick units and clay tile roofs located on the shared road.		
		The removal of all non-functional chimneys would be supported, although if they can be used for ventilation/extraction we appreciate that they can add to character. There is no objection to the proposed changes for black fascia to match fenestration and guttering. There is a preference to not use 'fake windows'.		Non-functional chimneys have been removed as supported in earlier feedback, and black fascias now match the proposed fenestration and guttering throughout.
	Garages	The proposed changes show a reorganisation of garages to consolidate built form and increase their size. The recommended size for single garages is 3m x 7m. We agreed a slight variation on that for the recently approved NMA ref 25/00557/NMA. In principle the number of garages on site should be kept to a minimum.		All garages have now been revised to meet the minimum internal dimensions of 3m x 7m, with the exception of Plot 8, which reflects the recently approved NMA
	Other layout changes	We note that no footpath is shown to be provided between units 47 and 11 from Crow Furlong. Whilst the subject of a condition, this should be considered in the layout.		Consistent with the indicative location shown on the approved layout drawing, a footpath has been introduced between units 47 and 11 to provide improved pedestrian access from Crow Furlong.
		The Senior Urban Design Officer proposed that the greenspace in front of units 42 and 43 could go through, rather than creating a block, which will attract unwanted parking areas.		This area of green space has been reviewed in response to the Urban Design Officer's comments. Following this review, we have reverted to the original approved layout for this part of the site, which was previously considered acceptable. As such, we do not propose any further change in this location and consider the approved approach to remain appropriate in terms of managing informal parking and reinforcing the character of the street scene. Minor adjustments have been made where necessary to better align with the approved hierarchy and ensure visual coherence throughout the development.

Appendix 5:

**Schedule of Proposed Amendments to Planning
Conditions**

Appendix 5: Proposed Amendments to Planning Conditions

Red = additional text

Struck-through = deleted text

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~~ below:

Documents

Air Quality Assessment (September 2023)
Arboricultural Impact Assessment (November 2022)
Archaeological Assessment (including Geo-physical Survey, April 2017 & Trial Trenching Report, June 2017)
Updated Ecological Appraisal (November 2022)
Flood Risk and Drainage Assessment (April 2023)
Updated Design and Access Statement (August 2023)
Ground Investigation Report (November 2020)
Landscape and Visual Impact Assessment (May 2023)
Planning Statement (November 2022)
Sustainability Statement (including Energy Statement) (February 2022)
Technical Note on Access (November 2022)
Transport Assessment (November 2022)
Travel Plan (November 2022)
Arboricultural Impact Assessment Update (June 2025)
Biodiversity Net Gain Calculation Statement (incl. Metric) (July 2025)
Drainage Strategy Update (July 2025)
Design and Access Statement (July 2025)
Updated Ecological Appraisal (June 2025)
Phase II Ground Investigation Report (September 2023)
Addendum Planning Statement (July 2025)
Sustainability & Carbon Statement (June 2025)
Biodiversity Net Gain – Landscape and Ecological Management and Maintenance Plan (July 2025)
Construction Phasing & Environmental Management Plan (July 2025)
Site Waste Management Plan (July 2025)
Lighting Strategy (July 2025)

Plans

Location Plan - 181-PS-2-100
Proposed Site Plan - 181-PS-2-101
Proposed Parking Plan - 181-PS-2-102
Proposed Materials Plan - 181-PS-2-203
Proposed Housing Mix - 181-PS-2-104
Proposed Tenure Plan - 181-PS-2-105
Proposed Boundary Plan - 181-PS-2-106
Waste and Recycling Plan - 181-PS-2-107
Proposed Private and Public Areas - 181-PS-2-108
Proposed Housetype Plan - 181-PS-2-109
Proposed Ground Floor Layout - 181-PS-2-110
Proposed Hardscaping Plan - 181-PS-2-120
Proposed Hardscaping Plan - 181-PS-2-121

Appendix 5: Proposed Amendments to Planning Conditions

Proposed Hardscaping Plan - 181-PS-2-122
Proposed Hardscaping Plan - 181-PS-2-123
Proposed Sections - 181-PS-2-124
Proposed Hydrant Locations - 181-PS-2-130
Temporary Run-off Plan – 181-PS-2-140
Housetype A – Detached - 181-PS-2-200
Housetype A – Semi - 181-PS-2-201
Housetype B - 181-PS-2-210
Housetype C - 181-PS-2-220
Housetype D - 181-PS-2-230
Housetype E - 181-PS-2-240
Housetype F – Detached - 181-PS-2-250
Housetype F – Semi - 181-PS-2-251
Housetype G - 181-PS-2-260
Housetype H - 181-PS-2-270
Housetype H with Garage - 181-PS-2-271
Housetype I - 181-PS-2-280
Housetype I with Garage - 181-PS-2-281
Housetype J - 181-PS-2-290
Housetype K – Detached 181-PS-2-300
Housetype K – Semi 181-PS-2-301
Housetype L – Detached 181-PS-2-310
Housetype L – Semi 181-PS-2-311
Housetype M - 181-PS-2-320
Housetype N – Detached 181-PS-2-330
Housetype N – Semi 181-PS-2-331
Housetype O - 181-PS-2-340
Housetype P - 181-PS-2-350
Garages - 181-PS-2-400
Substation - 181-PS-2-410
Bin & Bike Store – 181-PS-2-420
Street Scene 1 (Plots 17-23) - 181-PS-2-500
Street Scene 2 (Plots 38-47) - 181-PS-2-501
Street Scene 3 (Plots 1,8-10) - 181-PS-2-502
Street Scenes 4 (Plots 2-7) & Street Scene 5 (Plots 26-29, 34/35) - 181-PS-2-503
Site Sections A-A – 181-PS-2-510
Site Sections B-B - 181-PS-2-511
Site Sections C-C - 181-PS-2-512
GIA vs Space Standards - 181-PS-2-610
Hard & Soft Landscape Proposals for Plots & POS - JBA 24 555 02
Hard & Soft Landscape Proposals for Plots & POS - JBA 24 555 03
Hard & Soft Landscape Proposals for Plots & POS - JBA 24 555 04
Hard & Soft Landscape Proposals for Plots & POS - JBA 24 555 05
Hard & Soft Landscape Proposals for Plots & POS - JBA 24 555 06
Hard & Soft Landscape Proposals for Plots & POS - JBA 24 555 07
Hard & Soft Landscape Proposals for Plots & POS - JBA 24 555 08
Hard & Soft Landscape Proposals for Plots & POS - JBA 24 555 09
Hard & Soft Landscape Proposals for Plots & POS - JBA 24 555 10
Hard & Soft Landscape Proposals for Plots & POS - JBA 24 555 11
Hard & Soft Landscape Proposals for Plots & POS - JBA 24 555 12
Hard & Soft Landscape Proposals for Plots & POS - JBA 24 555 13
Landscape Overview Plan - JBA 24 555 14
Proposed Access Drawing – 188-TA50D
Infiltration Basin – cross sectional 188-FRA 107

Appendix 5: Proposed Amendments to Planning Conditions

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 and C 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 and to comply with Policy D1 and/or Policy D3 of the North Hertfordshire Local Plan 2011 to 2031.

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

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality, and to comply with Policy NE2 of the North Hertfordshire Local Plan 2011 to 2031.

- ~~5. Prior to commencement full details of soft and hard landscaping will be submitted to and approved in writing by the Local Planning Authority. Details will include:~~

~~Soft Landscape~~

~~a) Details of trees, hedgerows, habitats, ponds and other natural features it is proposed to retain or remove and details of how they will be protected during the construction phase. Such details to include the tree protection measures in accordance with BS5837:2012.~~

~~b) Full details of planting plans and written specifications, including cultivation proposals for maintenance and management associated with plant and grass establishment, details of the mix, size, distribution, density and levels of all trees/hedges/shrubs to be planted and the proposed time of planting. The planting plan shall use botanic names to avoid misinterpretation. The plans should include a full schedule of plants;~~

~~c) 1:100 plans (or at a scale otherwise agreed) with cross-sections of mounding, ponds, ditches and swales and proposed treatment of the edges and perimeters of each development phase;~~

~~d) The landscape treatment of roads;~~

~~e) A specification for the establishment of trees within hard landscaped areas including details of space standards (distances from buildings etc.), tree pit details and details of the species, number and spacing of trees and shrubs;~~

~~f) The planting and establishment of structural landscape to be provided in advance of all or specified parts of the site as appropriate;~~

~~g) Full details of any proposed alterations to existing watercourses/drainage channels and details of any water features;~~

~~Hard Landscape~~

~~h) Full details, including cross-sections, of all bridges and culverts;~~

~~i) The location and specification of minor artefacts and structures, including furniture, refuse or other storage units, signs and lighting columns/brackets;~~

~~j) 1:200 plans (or at a scale otherwise agreed) including cross-sections, of roads, paths and cycleways;~~

~~k) Details of all hard surfacing materials (size, type and colour).~~

~~No subsequent alterations to the approved landscape details are to take place unless submitted to and approved in writing by the Local Planning Authority. The landscape within each Development~~

Appendix 5: Proposed Amendments to Planning Conditions

Phase shall be implemented in accordance with the approved landscape details for that Development Parcel or Strategic Engineering and Landscape Element.

5. The development shall be carried out in accordance with the approved hard and soft landscaping details unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of the amenity of residents and to ensure that a detailed approach to the development of the built-up area (or parcels thereof) is agreed, in order to safeguard the setting of the site and its surroundings, and to ensure a suitable relationship and integration of the built development with its surroundings

6. The development shall be carried out in accordance with the approved Site Investigation (Phase II environmental risk assessment) Report unless otherwise agreed in writing with the Local Planning Authority. ~~(a) 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) (ii) The results from the application of an appropriate risk assessment methodology~~
 - ~~(b) 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 (a), above; has been submitted to and approved by the Local Planning Authority.~~
 - ~~(c) 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 (b) 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.~~
 - ~~(d) In the event that any contamination is other than that reported by virtue of condition (a), encountered during the development of this site, this 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.

7. ~~Development shall not commence until a biodiversity net gain management plan (BNGMP) has been submitted to, and approved in writing by, the local planning authority. The content of the BNGMP shall ensure the delivery of the agreed number of habitat and hedgerow units as a minimum (+0.47 habitat units, +0.64 hedgerow units) to achieve a net gain in biodiversity and include the following.~~
- ~~a) Description and evaluation of habitat parcels to be managed, cross referenced to individual lines in the metric.~~
 - ~~b) Maps of all habitat parcels, cross referenced to corresponding lines in the metric.~~
 - ~~c) Appropriate management options for achieving target condition for habitats as described in the approved metric.~~
 - ~~d) Preparation of an annual work schedule for each habitat parcel (including a 30 year work plan capable of being rolled forward in perpetuity).~~
 - ~~e) Details of the body or organisation responsible for implementation of the plan.~~
 - ~~f) Details of species selected to achieve target habitat conditions as identified in approved metric, definitively stated and marked on plans.~~
 - ~~g) Ongoing monitoring plan and remedial measures to ensure habitat condition targets are met.~~
 - ~~h) Reporting plan and schedule for informing LPA of condition of habitat parcels for 30 years.~~

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~~The BNGMP shall also include details of the legal and funding mechanism(s) by which the long term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the BNGMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.~~

7. The development shall be carried out in accordance with the approved Biodiversity Net Gain – Landscape and Ecological Management and Maintenance Plan (July 2025) unless otherwise agreed in writing with the Local Planning Authority.

Reason: To enhance biodiversity in accordance with the NPPF and the North Hertfordshire Local Plan Policy NE4

8. ~~The development shall commence until~~ be carried out in accordance with the approved details of for 20 integrated swift and bat boxes and 20 integrated bat boxes have been submitted and approved by the LPA unless otherwise agreed in writing with the Local Planning Authority. These devices shall be fully installed prior to occupation and retained as such thereafter.

Reason: To enhance biodiversity in accordance with the NPPF and the North Hertfordshire Local Plan Policy NE4.

9. ~~The development shall be carried out in accordance with the approved fire hydrant details unless otherwise agreed in writing with the Local Planning Authority. No development apart from enabling and associated works shall take place until details of a scheme for the provision of fire hydrants to serve the relevant phases of the development has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.~~ The provision and installation of fire hydrants, at no cost to the County or Fire & Rescue Service.

Reason: To ensure all proposed dwellings have adequate water supplies for in the event of an emergency.

10. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment prepared by MAC, reference 188- FRA-02-E, Revision E, 20 April 2023 and Drainage Strategy Update prepared by MAC, reference 1318-FRA-01-A, July 2025. The strategy shall;
1. Carry out further detailed infiltration testing (in accordance with BRE Digest 365) in the northwest section of the site (around plots 7 & 30). If infiltration is found to be unviable in this location, there should be further provision of attenuation storage in order to prevent any possible ponding.
 2. Limit surface water run-off in the southwest of the site generated by the critical storm events so that it will not exceed the surface water run-off rate of 1.8 l/s during all events up to and including the 1% AEP plus 40% climate change event. The remainder of the site should utilise the infiltration techniques (permeable paving and infiltration basin) as detailed in the approved Flood Risk Assessment.
 3. Include a finalised drainage layout alongside full engineering drawings of all SuDS and drainage elements to be implemented.

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.

11. ~~Development shall not commence until details and a method statement for interim and temporary drainage measures during the demolition and construction phases have been submitted to and~~

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approved in writing by the Local Planning Authority. This information shall provide full details of who will be responsible for maintaining such temporary systems and demonstrate how the site will be drained to ensure there is no increase in the off-site flows, nor any pollution, debris and sediment to any receiving watercourse or sewer system. Where temporary discharges to a sewer are proposed, written confirmation from the sewer owner that these have been accepted shall be provided. The site works and construction phase shall thereafter be carried out in accordance with approved method statement **for interim and temporary drainage measures during the demolition and construction phases** unless alternative measures have been subsequently approved by the Planning Authority.

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

12. Prior to the occupation of the first unit, details shall be provided in respect to the management, inspection and maintenance of any non-adopted drainage features. The details shall identify the responsible parties and set out how these will be funded and managed and provide a schedule of the proposed inspections and annual maintenance for the lifetime of the development. The plan shall be submitted to and approved in writing with the Local Planning Authority prior to first occupation and the development shall thereafter be maintained at all times in accordance with the approved details.

Reason: To ensure the drainage system is adequately maintained in order to function effectively for its lifetime.

- ~~13. No~~ **The construction of the** development shall **be carried out in accordance with the approved** ~~commence until a Construction Phasing and Environmental Management Plan 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: For the purposes of both the Highway Authority and Environmental Health, the Plan will include:~~

- ~~i) hours of construction operations including times of deliveries and removal of waste and to avoid school pick-up/drop-off times;~~
- ~~ii) site set up and general arrangements for storing plant including cranes, materials, machinery and equipment, temporary offices and other facilities, construction vehicle parking and loading/ unloading and vehicle turning areas;~~
- ~~iii) the location of construction traffic routes to and from the site, details of their signing, number and type of construction vehicles, monitoring and enforcement measures;~~
- ~~iv) 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;~~
- ~~v) siting and details of wheel washing facilities for construction vehicles leaving the site;~~
- ~~vi) end of day tidying procedures to ensure protection of the site outside the hours of construction, including cleaning of site entrances, site tracks and the adjacent public highway. The construction activities shall be designed and undertaken in accordance with the code of best practice set out in British Standard 5228 1997 and with the agreed details unless otherwise agreed in writing by the Local Planning Authority;~~
- ~~vii) Details of the construction site liaison contact for the use of local residents if required~~

The Plan for purposes of Environmental Health shall include the following elements:

- a. measures to minimise dust, noise, machinery and traffic noise impacts during construction;
- b. screening and hoarding details, to protect neighbouring residents;
- c. storage and removal of building waste for disposal or recycling;

The Plan for the purposes of Highway Authority shall also include details of:

- d. Access arrangements to the site;
- e. Traffic management requirements
- f. Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
- g. Impacts to the public rights of way and diversions if required.

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Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way, and in the interests of minimising disruption nearby residents during construction, minimising any environmental impacts and amenity in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

14. A) Design Approval Notwithstanding the details indicated on the submitted drawings, no on-site works above slab level shall commence until a detailed scheme for the off-site highway improvement works as indicated on drawing number 188-TA50 Rev D have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.
B) Implementation / Construction Prior to the first use of the development hereby permitted, the improvement works referred to in part A of this condition shall be completed in accordance with the approved details.

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

15. Prior to use the gradient of the main vehicular access road shall be constructed not be steeper than 1 in 20.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policy 5, of Hertfordshire's Local Transport Plan 4

16. Prior to occupation, each of the proposed new dwellings shall incorporate an Electric Vehicle (EV) ready charging point. Proposals should also be made for the provision of EV charging within other public parking areas of the proposed development.

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 in accordance with Building Regulations Part S and Policies 5, 19 and 20 of Hertfordshire's Local Transport Plan (adopted 2018).

17. During the change of use phase no activities should take place outside the following hours: Monday to Friday 08:00-18:00hrs; Saturdays 08:00-13:00hrs and Sundays and Bank Holidays: no work at any time.

Reason: To protect the residential amenity of existing residents.

18. ~~No~~ The development shall ~~be carried out in accordance with the approved~~ take place until a Site Waste Management Plan (SWMP) ~~for the site has been submitted to~~ unless otherwise agreed in writing with the Local Planning Authority and approved in consultation with the Waste Planning Authority. The SWMP should aim to reduce the amount of waste being produced on site and should contain information including estimated and actual types and amounts of waste removed from the site and where that waste is being taken to. The development shall be carried out in accordance with the approved SWMP.

Reason: This is a pre-commencement condition to promote sustainable development and to ensure measures are in place to minimise waste generation and maximise the on-site and off-site reuse and recycling of waste materials, in accordance with Policy 12 of the Hertfordshire Waste Core Strategy and Development Management Policies Development Plan Document (2012).

19. A) No demolition/development shall take place/commence until an Archaeological Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The

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scheme shall include an assessment of archaeological significance and research questions; and:

1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.

B) The demolition/development shall take place/commence in accordance with the programme of archaeological works set out in the Written Scheme of Investigation www.hertfordshire.gov.uk approved under condition (A)

C) The development shall not be occupied/used until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis and publication where appropriate.

Reason: To ensure the implementation of an appropriate archaeological investigation, recording, reporting and publication, and the protection and preservation of archaeological features of significance, in accordance with North Hertfordshire Local Plan Policy HE4 and Section 16 of the NPPF 2021.

20. Before the commencement of any other works on the site, trees to be retained shall be protected by the erection of temporary chestnut paling or chain link fencing of a minimum height of 1.2 metres on a scaffolding framework, located at the appropriate minimum distance from the tree trunk in accordance with Section 4.6 of BS5837:2012 'Trees in relation to design, demolition and construction - Recommendations, unless in any particular case the Local Planning Authority agrees to dispense with this requirement. The fencing shall be maintained intact for the duration of all engineering and building works. No building materials shall be stacked or mixed within 10 metres of the tree. No fires shall be lit where flames could extend to within 5 metres of the foliage, and no notices shall be attached to trees.

Reason: To prevent damage to or destruction of trees to be retained on the site in the interests of the appearance of the completed development and the visual amenity of the locality, and to comply with Policy NE2 of the North Hertfordshire Local Plan 2011 to 2031.

- ~~21. Prior to or concurrent with the first reserved matters submitted in each phase identified in Condition 6 a detailed~~ **The development shall be carried out in accordance with the** Open Space Management and Maintenance Scheme contained in the **Biodiversity Net Gain – Landscape and Ecological Management and Maintenance Plan (July 2025) prepared by James Blake Associates.** ~~for the management and maintenance of all areas of open space (to include parks, greenways, allotments, play areas, informal open space, semi-natural green space, public squares) shall be submitted to and agreed in writing by the Local Planning Authority and implemented in accordance with an agreed timetable and phasing strategy approved under condition 6. Details to be submitted shall include:~~

- a) Management organisation;
- b) Details of landscape management and maintenance plans;
- c) Details of planting, grass cutting, weeding and pruning;
- d) Management of sustainable urban drainage features;
- e) Inspection, repair and maintenance of all hard landscaping and structures;
- f) Management, monitoring and operational restrictions; and
- g) Maintenance and planting replacement programme for the establishment period of landscaping

The open spaces provided shall be retained for their intended purpose and in accordance with the approved management plan unless otherwise agreed in writing by the local planning authority.

Reason: To ensure adequate open space and amenity provision as per NHLP Policy NE6.

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22. The development shall be carried out in accordance with the approved details of materials to be used on all external elevations and roofs of the development hereby permitted shall be submitted to and unless otherwise agreed approved in writing by the Local Planning Authority before the development is commenced and the approved details shall be implemented on site. Reason: To ensure that the development will have an acceptable appearance which does not detract from the appearance and character of the surrounding area and to comply with Policy D1 of the North Hertfordshire Local Plan 2011 to 2031.
23. Before the occupation of any of the dwellings hereby permitted, the car parking facilities shown on the approved plan shall be marked out and made available, and shall thereafter be kept available solely for the parking of motor vehicles. Reason: To ensure the provision of satisfactory car parking facilities clear of the public highway to meet the needs of the development and to comply with Policy T2 of the North Hertfordshire Local Plan 2011 to 2031.
24. None of the trees to be retained on the application site shall be felled, lopped, topped, uprooted, removed or otherwise destroyed or killed without the prior written agreement of the Local Planning Authority. Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality, and to comply with Policy NE2 of the North Hertfordshire Local Plan 2011 to 2031.
25. The development shall be carried out in accordance with the approved Prior to commencement a site-wide sustainability strategy set out in the Sustainability & Carbon Statement (July 2025) prepared by Sol Environmental shall be submitted to unless otherwise agreed in writing by the Local Planning Authority for approval addressing renewable energy, reducing carbon emissions and water conservation. Reason To reduce carbon dioxide emissions and promoting principles of sustainable construction and the efficient use of buildings in accordance with Policies SP9 and D1 in the local plan.
26. Before the occupation of any of the dwellings hereby permitted, facilities for two The development shall be carried in accordance with the approved cycle parking details unless otherwise agreed spaces shall be shown on a plan. Details shall be approved in writing by the Local Planning Authority. prior to commencement and the approved details shall be implemented on site and shall thereafter be kept available for the parking of bicycles. Reason: To ensure the provision of satisfactory cycle parking facilities to meet the needs of the development and to comply with Policy T2 of the North Hertfordshire Local Plan 2011 to 2031.
27. The development shall be carried out in accordance with the approved D details shall be submitted for the route and surfacing of the two footpath links from the site to Bridleway 004 and Crow Furlong as shown on the approved plans. Details shall be approved in writing by the Local Planning Authority prior to commencement and the approved details shall be implemented on site. Reason: To ensure that the development will have an acceptable appearance which does not detract from the appearance and character of the surrounding area and to comply with Policy D1 of the North Hertfordshire Local Plan 2011 to 2031.
28. Prior to the commencement of the The development shall be carried out in accordance with the hereby approved, a scheme of sensitively designed lighting strategy shall be submitted to and approved unless

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~~otherwise agreed~~ in writing by the Local Planning Authority. The lighting scheme shall include and consider temporary construction lighting as well as more permanent lighting associated with the development hereby approved. Light spill (including from temporary construction lighting) onto retained and newly created habitat, in particular the retained woodland habitat forming the south of the site, should be minimised in accordance with good practice guidance, as set out in footnote 15 of the approved Updated Ecological Report by Aspect Ecology referenced 1005083 UEcoAp vf12 CL dated 15/11/2022. The sensitively designed lighting strategy shall consider the following key factors:

- ~~o Light exclusion zones~~
- ~~o Variable Lighting Regimes~~
- ~~o Light barriers~~
- ~~o Spacing and height of lighting units~~
- ~~o Light intensity~~
- ~~o Directionality~~

Reason: To ensure the protection, enhancement and management of biodiversity, and to comply with Policy NE4 of the North Hertfordshire Local Plan 2011 to 2031.