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North Hertfordshire District Council
Council Offices
Gernon Road
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Hertfordshire
SG6 3JF

Our ref: AC001 – 6

19 June 2026

Dear Paul

**LAND EAST OF BEDFORD ROAD AND NORTH OF THE PRIORY SCHOOL,
HITCHIN (APPLICATION REFERENCE 25/03234/FP)**

On behalf of Arte Construction Limited and Simon Ward & Richard Horwood, I write with regard to the application for planning permission to create 50 no. one, two, three and four bedroom houses and apartments plus associated landscaping, open space, roads, drainage and other infrastructure on the land to the east of Bedford Road and north of The Priory School, on the northern edge of Hitchin (application reference 25/03234/FP) and further to our recent discussions following the formal consultation on the proposed scheme.

As discussed, with several outstanding matters to be addressed before the application for planning permission can be determined, a single and comprehensive update to the proposed scheme has been prepared, covering all issues raised during the consultation stage. An updated pack of drawings is attached and further details of the changes are set out below, but to summarise the amendments to the scheme to address the comments received, the application for planning permission has been updated as follows:

1. Urban design – comments received 15 April 2026 and mostly relating to the draft North Herts Design Code, a note on areas of compliance and non-compliance has been created and it is summarised below.
2. Affordable housing – requests made 30 April and 10 June 2026 to revise the mix of accommodation and most of the suggestions were accepted. Following discussions with the council's Housing Supply Officer, a further round of changes led to agreement on the proposed provision, including the provision of two houses for wheelchair users.

3. Drainage and landscaping – Anglian Water raised issues on 16 February 2026 regarding the impact of the proposed scheme on their infrastructure, with the landscaping scheme updated and agreed with Anglian Water prior to the submission of this update to the application.
4. Flood risk – the objection from the LLFA dated 08 May 2026 queried the overall drainage strategy and the engineer acting for the applicants has provided a note to describe the strategy behind the drainage scheme.
5. Levels and cross-section – further details of the step down from the new street to the public open space has been provided, comprising a note set out in this letter and a cross-section through the northern side of the site.
6. Highways – the objection from Hertfordshire County Council dated 14 April 2026 sought the re-design of the new junction with Bedford Road, use of the latest data and a Stage 1 Safety Audit. The Transport Statement has been updated and a new junction design is shown on the site layout.
7. Noise – the council’s environmental health team sought clarification (05 March 2026) on the survey data for the adjoining sports pitch and clarification is set out below, with no changes needed to the proposed scheme.

A detailed response is needed to each of the points made during the consultation stage and the revised drawings and assessments to provide further information to provide clarification or additional justification. In the same order as the summary and with additional points to cover the remaining issues:

- Urban design

Comments received from the council’s urban design team were received on 15 April 2026 and were presented as an update to the comments received during the pre-application discussions. It is important to note that the draft of the North Herts Design Code was published for consultation in March 2026, after the pre-application stage and the submission of this application for planning permission, meaning that the proposal has not been designed in accordance with it – the draft standards were not known, although the scheme still complies with the national requirement to create a high quality, beautiful and sustainable place and buildings, and is therefore broadly compliant with the draft code. In that regard, the draft code states that it “will be applied proportionately on a case-by-case basis, informed by the types of development and application being considered” and, to reflect that the code is currently in the process of being refined and is likely to be adopted at around the same time that this application is presented to the Planning Control Committee, a separate note has been prepared to explain where the scheme is in compliance with the code and where it is not, with an explanation of why the non-compliant elements have been proposed and why they should be found to be an acceptable response to the influences and opportunities

presented by the site during this transition into the adoption of the code. Details of the areas of compliance and non-compliance are set out in the note, although most areas of non-compliance were also highlighted by the comments from the urban design team. No changes have been made to the proposed scheme to seek greater compliance – in the following examples, the proposal is shown to achieve the requirement to be high quality even though there are some areas which do not match the draft standards published after it was designed and the application for planning permission was submitted.

The frontage to Bedford Road is highlighted in both the comments and the note: the design code expressly states that running a new road parallel to the existing street is unacceptable, which the urban design team describe as “doubling up of roads and excess hardstanding... makes inefficient use of land that could otherwise be used for housing or open space”. The principle is understood but it will not be possible to take access directly to the plots from Bedford Road, meaning that a route through the site is needed and a less efficient form of development is inevitable. The character of Bedford Road is also an important consideration and the existing development towards the edge of the built-up area already comprises houses set back from the street behind access roads and deep landscaping, delivering a spacious public realm – pulling the houses forward would not be in keeping with the existing character of the approach to Hitchin from the north. An alternative response would be to use parking courtyards that are hidden inside the perimeter blocks with footpath links to create a route to the front doors of the houses, but the courtyards would be no more efficient than a road to the front, could become a magnet for anti-social behaviour and the remote parking may encourage residents to park on Bedford Road or the landscaped verge in preference to walking a longer distance to their allocated space. As such, the proposed scheme is believed to be the most appropriate response to the unique set of circumstances and while it is contrary to the draft design code, it will create the high-quality environment sought by national policy.

The opportunity to explore higher density development along the Bedford Road frontage was explored at the pre-application stage but bringing the vehicle access around the buildings indicated that a lower density which reflects the form of development on the opposite side of the street would be more appropriate. The site also has a role to play in defining the entrance to Hitchin from the north and the transition from the river valley to detached houses set behind new trees is felt to be more visually pleasing than jumping straight to a more urban edge created by terraced houses or blocks of apartments. Conversely, with the entrance to The Priory School immediately to the south of the site, there will be short bursts of intense use at the beginning and end of each school day, making the street corner a more appropriate location for higher density development where the small blocks of apartments deliver a stronger edge to the existing public realm.

Parking along the eastern side of the site comprises two spaces to the side of each house, within the curtilage of the property, matching the semi-detached form of the houses but this is not supported by the draft design code, which seeks a combination of

a primary on-plot parking space and a secondary, unallocated space in a communal parking area (Tier 3), while the use of two on-plot space is reserved for houses with four or more bedrooms (Tier 4). The in-curtilage parking of the proposed scheme has a suburban character that matches the form of development in the north eastern quarter of Hitchin and the cars will be predominantly hidden from long views down the straight street because they are tucked between the houses, making it an appropriate design choice that minimises the impact of vehicles in the street scene. It is not agreed that parking courts would be a better solution to car parking because they would increase the amount of hard surfacing (discussed with regard to drainage, below) and create semi-public areas where there is limited control over the parking and no sense of ownership, potentially leading to conflict between neighbours and facilitating anti-social behaviour.

Drawing a clear line between public and private space and, by definition, avoiding ill-defined semi-public areas is a key part of the design principles for the scheme and this extends beyond the omission of parking courtyards to ensuring that the streets and public open space have clear edges that frame the public realm. The houses define the route of the streets by creating a perimeter block form where there is active frontage to the street and informal surveillance of all areas, including parking on drives on the opposite side of the street and on street corners, where dual-fronted houses are used so that there are no blank elevations that would detract from the quality of the proposed scheme. The corner-turning form means that some private gardens abut the street and these are protected by 1.8 metre high brick walls and benefit from surveillance by properties on the opposite side of the street. The same approach is taken to the separation between the street and the public open space, taking advantage of the drainage strategy and the need to deliver a surface water attenuation basin so that the open space sits below the road and benefits from the physical separation created by a 1.4 metre high retaining wall. All opportunities for anti-social and inconsiderate car parking on the open space are impossible and the railing to the edge is given a purpose, rather than being a barrier that simply blocks potential routes into the shared space. Step-free access is provided on the Bedford Road frontage but a shorter route is created by steps down from the road, added where they are clear of the attenuation basin and close to the play area.

The play area is placed to one side of the open space so that it does not dominate the wider open area, ensuring that it does not become the focus of the public realm and imply that the green infrastructure is reserved for children. Instead, the majority of the space is landscaped and the path loops through it as an end-to-end route to encourage jogging, dog walking or simply extending a walk on Bedford Road in preference to recreational use of the fragile environment in the nature reserve along the river valley. The space is not intended to be for the exclusive use of residents and focussing the access on the short Bedford Road frontage will help integrate it into the existing community, with care taken to avoid enclosure of the western end so that it is visible from the main road: the grassed area runs up to the street and enclosure by trees and hedges is avoided so that there can be no suggestion that it is a semi-private space.

The materials palette was simplified in response to comments at the pre-application stage, pre-empting draft design codes BF03 Balancing Variety and Consistency and BF04 Architectural Approach, with the proposed scheme in compliance with the new guidance: the scheme follows the principles of BF03.02 – Consistent Materiality and Form, using the straight street and repeating form of the semi-detached houses to deliver a consistent edge to the public realm which is emphasised by the use of a single red brick (albeit relieved by the buff brick for the apartments, which have a wholly different relationship with the street). The fragmented character of the surrounding area reflects that each street was designed in isolation therefore the proposed scheme is also intended to have its own identity, delivering an up-to-date appearance without straying too far from the traditional forms in the adjoining streets – shapes are simple and detailing is minimal, responding to the character but not, as guided by the comments from the urban design team, “replicating bad forms of local development”.

The functionality of the new homes is also considered, with care taken to avoid the need for bin stores or cycle stores as part of the street frontage. Although the draft design code provides guidance on how to deliver such stores in front of the building line, it is felt that they would add clutter to an otherwise strong edge to the public realm, therefore the proposed scheme delivers independent access to every rear garden so that bins and cycles can be stored where they cannot be seen and will be more secure. The proposed scheme complies with the carry distances set by the draft design code and it is expected that residents will move their bins at the kerbside on the designated collection day, rather than always leaving them outside the front of their house. With the back gardens given extra purposes, it is confirmed that they meet the minimum area and depth standards set by draft code BF07.01 and the regular shapes sought by draft code BF07.02.

- Affordable housing

Comments from your authority’s Housing Supply Officer (dated 30 April 2026) were followed by a direct discussion with the applicant, responding to the suggested change to the mix of accommodation. To address the Golden Rules, the scheme proposes that affordable housing provision is set at 50% of the total number of new homes (25 of 50 dwellings) and the tenure split for the affordable housing has been agreed at 65% rent and 35% shared ownership. Furthermore, the suggested mix of accommodation can be delivered apart from upgrading the wheelchair dwellings from two bedroom four person to three bedroom five person: the latter are considerably larger and cannot be fitted into the proposed scheme, leading to the loss of at least one dwelling that would, in turn, reduce the number of plots that are designated as the affordable housing provision.

Instead, to retain the provision at 25 homes, a pair of two bedroom wheelchair accessible plots are retained, although it should be noted that the requested overall provision of two bedroom houses and three bedroom houses is achieved. With the changes made, broadly in line with the request from the Housing Supply Officer, the Development Layout has been updated to show the following provision:

Table 1: proposed affordable housing provision

Type	Tenure	
	Social rent	Shared ownership
1 bedroom apartment	3	-
2 bedroom apartment	4	4
2 bedroom house	2	4
2 bedroom wheelchair house	2	-
3 bedroom house	3	1
4 bedroom house	2	-
Total	16	9

- Landscaping

Anglian Water submitted an objection in their letter dated 16 February 2026, noting that they are responsible for a 600mm wide surface water sewer along the western boundary, entering the site at the school access point and then running under the bus shelter and parallel to Bedford Road until it leaves the site just to the north of Burford Way. The sewer is protected by an easement and while it is acceptable to excavate the swale which runs alongside the sewer, the proposed landscaping scheme has been revised so that there is no tree planting over the pipe or within the space three metres to either side. It is important to note in addition to preventing trees from being planted over the sewer, the easement also requires that existing vegetation is cut back and, as a result, the existing self-seeded trees that could damage the pipe also need to be removed.

As such, the proposed soft landscaping scheme has been revised to omit the trees between the swale and Bedford Road, but this is balanced by adding more trees in the space between the swale and the driveway serving the new homes that face towards the existing street: although repositioned, there is no reduction in the number of trees proposed to be planted on the Bedford Road frontage. Across the rest of the site, the proposed landscaping scheme has been adjusted as needed to accommodate the amendments described above, including the addition of steps down into the public open space, with the retaining wall supporting the road hidden behind defensive planting using native species, as previously proposed – a mix of five species will be planted in double staggered rows (775mm wide) for a total length of 45 metres, including the section where it wraps around behind the play area.

- Drainage and flood risk

Comments from the Lead Local Flood Authority, dated 08 May 2026, highlighted that the Flood Risk Assessment submitted in support of the application was acceptable but that a surface water drainage strategy is needed to demonstrate that there is no increase in flood risk as a result of the proposed scheme. In response, the drainage engineer acting for the applicant, Levee Consulting, has prepared a Technical Note and a Drainage Strategy Note, along with a MicroDrainage simulation to demonstrate that there is no flooding within the site during a 1 in 100 year return period storm.

Poor ground drainage precludes the use of soakaways, while a direct discharge to the River Oughton is not possible because it would need to cross land that is not controlled by the applicants. Instead, the proposed drainage scheme shows the surface water draining by gravity to a detention basin and then discharged by gravity to the existing surface water sewer to the north west of the site that, in turn, discharges into the river. A discharge rate no greater than 3.8 litres per second is proposed (controlled by a hydrobrake at the attenuation basin), which is below the greenfield run-off rate and therefore reduces the risk of surface water flooding for all return periods. Storage is provided by an attenuation basin which is 1.45 metres deep and has a capacity of 475m³, allowing for a 300mm freeboard and with the design providing for a 40% climate change allowance and including an extra 10% urban creep factor. The basin also provides treatment of surface water in line with The SuDS Manual (Ciria C753).

- Levels and cross-section

In parallel to the addition of the drainage strategy, further information is added to the application pack to explain the retaining wall at the northern end of the scheme and the relationship between the estate road and the public open space. Levee Consulting have provided the following explanation of how the drainage scheme dictates the choices for the proposed ground levels:

“The proposed ground levels within the proposed scheme are constrained by a number of factors:

- *Existing gas main traversing the north end of site*
- *Ensuring the new homes are safely located above the maximum water level within the basin (see above)*
- *Ensuring a gravity connection for the detention basin*
- *Maintain existing off-site flood routing*
- *Accommodating sufficient cover for the culvert crossing under the site access*

It is not possible to significantly lift the ground levels within the public open space, owing to the need to maintain existing ground levels near the gas main. The levels are further constrained by the requirement to profile the ground to ensure a similar off-site flood response to the existing situation. This prevents the scheme from lifting levels further, thereby removing the need for a retaining wall adjoining the site access road.

Conversely, the attenuation basin cannot be set lower without compromising the gravity sewer connection to the existing Anglian Water sewer under Bedford Road, to the north west of the site. Furthermore, the dwellings cannot be lower than the crest level of the attenuation basin otherwise they would be at flood risk. In short, the levels strategy is unable to either lower the finished floor levels or the levels of the basin.

Finally, it is necessary to accommodate the proposed culvert under the site access, which is required to maintain the existing offsite flood profile. Ensuring that the water can continue to flow from south to north but diverted around the Bedford Road frontage, this prevents lowering the proposed levels near the site access and constrains the available longfall coming into the site and along the access road.

As such, the scheme for the proposed levels thus provides a holistic response to the constraints of the site and prevents both flooding of onsite dwellings and causing any additional offsite flooding. Furthermore, it does not impact the existing gas main.”

In addition, cross-sections through the northern edge of the site have been prepared, showing the relationship between the houses and street at a higher level and the public open space and attenuation basin at a lower level, while further information on the retaining wall and railing above are added to the Detailed Layout that already showed the proposed walls and fences across the rest of the site.

- **Highways**

Comments from the highways team at Hertfordshire County Council, dated 14 April 2026, objected to the proposed scheme and requested that extra details be added to redesign the access from Bedford Road, show off-site highway works, update the data behind the justification and add a Stage 1 Safety Audit to the application pack.

Personal Injury Collision (PIC) data for the period 2020 to 2024 shows a reduction in collisions when compared to the older data in the submitted statement, and while all involved vulnerable road users, they are not clustered and are therefore not indicative of any road safety issues or deficiencies in the existing network. The reduction in collisions may be due to changes identified by a new traffic count: while the average two-way weekday traffic flow has increased, the 85th percentile vehicle speed is around 2 mph less and the shorter stopping distances could be enough to reduce the number of collisions.

The statement confirms that the revised mix of accommodation (described above) does not change the trip generation or distribution, with the number continuing to be found to be imperceptible to existing road users and within the existing daily variation in flows. The design of the new junction with Bedford Road has been updated, moving away from the layout agreed during the previous application for planning permission (reference 22/03040/FP) to achieve full compliance with Hertfordshire County Council's Place & Movement Planning Design Guide (March 2024) and to deliver 2.4 metre by 50 metre visibility splays in accordance with the new speed survey. The updated statement also confirms that the northbound bus stop will be relocated further to the north so that it is clear of the junction (as identified by the Stage I Road Safety Audit) and that an uncontrolled crossing will provide pedestrian access. The three metre wide footway/cycleway along the street frontage is confirmed to be suitable for the anticipated level of pedestrian and cycle movements, with the southbound bus stop and shelter repositioned to be clear of the wider path. The updated statement also notes that tactile paving will be added to the three junctions that abut the site (Bedford Road/Burford Way, Bedford Road/Portman Close, Bedford Road/The Priory School entrance). There is no change to the conclusion of the statement: there will not be an unacceptable impact on highway safety and the residual cumulative impact on the road network will not be severe.

- Noise

The comments from your colleague in the council's Environmental Health team accepted the findings of the Environmental Noise Assessment with regard to noise from Bedford Road and recommended the use of a condition to secure the proposed mitigation measures. The potential for disturbance caused by noise from the sports pitch to the east of the site was also considered, with the distance and intervening landscaping found to mitigate the impact. However, additional data was sought and the applicant's noise consultant has provided the following update:

"The measurements were taken over approximately 40 minutes when the pitches were in use. Subjectively noise from the pitches were just audible, with the occasional whistle, shout and ball hitting a fence just being noticeable. It was therefore very difficult to take measurements of site activity. The noise from use of the pitches was not considered intrusive or resulted in a change to the acoustic character of the area which, as outlined in the noise report, was dictated by road traffic noise.

I have attached the survey data recorded however, as advised above and for most of the time, noise from pitch activity was not noticeable. All measurements were consistent with those measured previously before the pitch was constructed."

Table 2: noise assessment survey data – Location 2 – pitch activity

		LAeq	LAFmax	LAFmin	LAF,10	LAF,90
(2025/09/09 13:16:28.00)	13:16	51.6	61.1	43.2	54	47.4
(2025/09/09 13:20:00.00)	13:20	51.9	67.1	44.3	56.5	50.2
(2025/09/09 13:25:00.00)	13:25	52.1	61	45.3	54.6	49.1
(2025/09/09 13:30:00.00)	13:30	51.3	64.3	46.5	55.4	49.1
(2025/09/09 13:35:00.00)*	13:35	58.4	73	47.6	57.6	50.6
(2025/09/09 13:40:00.00)	13:40	52.1	66.2	47.4	54.6	49.6
(2025/09/09 13:45:00.00)	13:45	51.8	68.3	46.6	53.7	48.7

** Noise measurements affected by a loud motorbike*

- **Conditions**

Several consultees did not object to the proposed scheme but recommended that conditions are used to secure additional information after planning permission is granted. Although the decision on whether they should be included lies with you as part of your assessment of the proposed scheme, I can confirm that the following conditions would be acceptable to the applicant:

- Creation of a site waste management plan (Hertfordshire County Council minerals and waste policy team, 20 January 2026)
- Geophysical survey and field evaluation for archaeology (Hertfordshire County Council historic environment team, 06 February 2026)
- Expansion of the landscaping scheme through the creation of a habitat management and monitoring plan (HMMP), ecological enhancement plan (EEP), construction environmental management plan (CEMP) and biodiversity method statement, as well as the imposition of the standard biodiversity net gain plan (North Herts Council ecologist, 06 February 2026)
- Construction management plan, scheme for noise mitigation in accordance with the submitted noise assessment, contamination assessment with a proposal for remediation (if required) and provision of electric vehicle charging points for each dwelling (North Herts Council environmental health, 05 March 2026).
- Construction traffic management plan (Hertfordshire County Council highways team, 14 April 2026).

- Planning obligations

The growth and infrastructure team at Hertfordshire County Council provided a list of financial contributions sought to mitigate the impact of the new homes on existing services and facilities, following the principles set out in the 2021 Guide to Developer Infrastructure Contributions. Areas covered include primary education (no defined location), secondary education at The Priory School, childcare (0 to 2 years, no defined location), capacity improvements at Hitchin Library, new equipment for Hitchin Fire Station and increased capacity at Letchworth Recycling Centre. Further details of shortfalls in capacity have been sought from the county council, particularly where there is no specification as to where the funding will be spent or what it will deliver: the need for mitigation of potential impacts is understood, but the applicant wishes to ensure that the contributions meet the standards set by the CIL Regulations.

In parallel, the highways team at the county council have specified off-site works to add tactile paving at three locations close to the site on Bedford Road, although it is expected that these will be delivered as part of the Section 278 works and not as a financial contribution.

The emerging North Herts Playing Pitch Strategy (PPS) and Indoor Sports Strategy (ISS) identify priority projects for the council and the proposed scheme is too small to deliver on-site sports facilities, therefore it is accepted that off-site works are required. In partnership with Sport England, the council is seeking funding to enhance facilities for football and cricket at Ickleford Sport and Recreation Club, rugby, hockey, swimming and tennis, as well as a financial contribution towards a new 3G artificial grass pitch and improvements to the sports hall at The Priory School. These are accepted by the applicants, subject to the details of how they will be secured and delivered.

It remains the intention of the applicants that the Section 106 Agreement will be drafted ahead of the presentation of the application to the Planning Control Committee. As such, it is proposed that heads of terms and an instruction for the legal teams will be agreed under separate cover in the near future.

In support of the changes to the proposed scheme that are described above, I would be grateful if you could substitute the following drawings in place of the versions originally submitted with the application for planning permission:

1.	Development Layout	AC001-PL-02 rev. F
2.	Soft Works	1496-01 rev. E
3.	Hard Works	1496-02 rev. D
4.	Opportunities and Constraints	1496-03 rev. D
5.	Proposed Access Arrangement and Visibility Assessment	RAP-DR-TP-3200 P02
6.	Detailed Layout	AC001-PL-03 rev. D
7.	Parking Layout	AC001-PL-04 rev. E
8.	Garden Areas Layout	AC001-PL-05 rev. D

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| 9. Storey Heights Layout | AC001-PL-06 rev. D |
| 10. Refuse Layout | AC001-PL-07 rev. D |
| 11. Materials Layout | AC001-PL-08 rev. C |
| 12. Affordable Housing Location Plan | AC001-PL-09 rev. D |
| 13. Fire Strategy Plan | AC001-PL-10 rev. D |
| 14. Landscape and Visual Impact Assessment, Version 5 (18 June 2026) | |
| 15. Landscape Specification and Management Plan, Version 5 (18 June 2026) | |
| 16. Landscape Strategy, Version 5 (18 June 2026) | |
| 17. Transport Statement, V5 (June 2026) | |

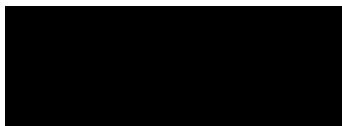
Furthermore, the following information should be added to the pack of information that supports the proposed scheme:

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| 18. Concept Proposed Sections | CSE-02 rev. C |
| 19. Response to the North Herts Design Code (08 June 2026) | |
| 20. Technical Note: Drainage Strategy (14 May 2026) | |

This information is submitted by e-mail in PDF format, but if you need paper copies, please let me know.

In the meantime, I trust that you will find that the updates and explanations set out above address the issues raised during the formal consultation on the proposed scheme and that you will now be able to present the application for planning permission to the Planning Control Committee with your recommendation that it be approved. However, if you have any queries or should you require any additional information before the consideration of the proposed scheme can be concluded, please do not hesitate to contact me at the above address.

Yours sincerely



MICHAEL SMITH
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