

<u>Location:</u>	Land North Of Pound Farm London Road St Ippolyts Hertfordshire SG4 7NE
<u>Applicant:</u>	Mr Nathan Craker
<u>Proposal:</u>	Application for approval of reserved matters relating to Phases 2 and 3 being appearance, landscaping, layout and scale pursuant to conditions 7, 8 and 9 of planning permission 21/00434/HYA for the erection of 48 dwellings and associated works
<u>Ref. No:</u>	24/02907/RM
<u>Officer:</u>	Paul Chaston

Date of expiry of statutory period

Friday 21 March 2024

Extension of statutory period

Friday 8 August 2025

Reason for Delay

Detailed negotiations and re-consultation on amended plans and documents.

Reason for Referral to Committee

The site area for this application exceeds 0.5 hectares and proposes residential development. Under the Council's scheme of delegation, the application must be determined by the Council's Planning Control Committee.

1.0 Site History

- 1.1 25/00453/NMA – Amendments to Phase 2 and 3 boundaries as non-material amendment to hybrid application reference 21/00434/HYA. This non-material amendment was granted in March 2025.
- 1.2 21/00434/HYA – Hybrid application for a residential development to provide a total of up to 84 dwellings with associated access from London Road, including provision of a roundabout, associated parking, landscaping, open space and ancillary works comprising:
Phase 1 – Application for full planning permission for the erection of 36 dwellings;

Subsequent Phases – Application for outline planning permission all matters reserved except for access on the remaining part of the site for the erection of up to 48 dwellings. This application was granted in March 2024.

2.0 Policies

2.1 North Hertfordshire District Council Local Plan 2011-2031

Adopted 8 November 2022.

Policy SP1: Sustainable Development in North Hertfordshire
Policy SP2: Settlement Hierarchy
Policy SP6: Sustainable transport
Policy SP8: Housing
Policy SP9: Design and Sustainability
Policy SP10: Healthy Communities
Policy SP11: Natural resources and sustainability
Policy SP12: Green infrastructure, landscape and biodiversity
Policy SP13: Historic Environment
Policy T1: Assessment of transport matters
Policy T2: Parking
Policy HS1: Local Housing Allocations
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 HC1: Community facilities
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 NE11: Contaminated land
Policy HE1: Designated Heritage Assets
Policy HE4: Archaeology

2.2 The application site was previously Green Belt. The Local Plan has removed the site from the Green Belt and brought it within the defined settlement boundary of Hitchin.

2.3 Policy HS1 indicates that Local Housing Allocations are listed by parish and Settlement as shown on the Policies Map and confirms that residential development and associated infrastructure on these sites will be granted provided that:

- a) Development broadly accords with the indicative number of homes shown;
- b) Proposals successfully address site specific policy considerations; and

- c) Unless site specific policy considerations state otherwise, a variety of homes are provided in accordance with the general policy requirements of this plan.
- 2.4 The site is identified in the Local Plan as an allocated housing site under Policy HT2 and the adopted Local Plan removed the site from the Green Belt for development and incorporated with the settlement boundary of Hitchin. This policy also contains detailed policy criteria for consideration in the determination of any relevant applications for planning permission.
- 2.5 **National Planning Policy Framework (NPPF)**
 - Section 2: Achieving sustainable development
 - Section 5: Delivering a sufficient supply of homes
 - Section 6: Building a strong competitive economy
 - Section 8: Promoting healthy and safe communities
 - Section 9: Promoting sustainable transport
 - Section 11: Making effective use of land
 - Section 12: Achieving well-designed places
 - Section 13: Protecting Green Belt land
 - Section 14: Meeting the challenge of climate change, flooding and coastal change
 - Section 15: Conserving and enhancing the natural environment
 - Section 16: Conserving and enhancing the historic environment
- 2.6 **Supplementary Planning Documents**
 - Design SPD (2011)
 - Planning Obligations SPD (2023)
 - Vehicle Parking Provision at New Development SPD (2011)
 - Sustainability SPD (2024)
 - North Hertfordshire and Stevenage Landscape Character Assessment
- 2.7 **Hertfordshire County Council**
 - Local Transport Plan (LTP4 – adopted May 2018)
 - Hertfordshire Waste Core Strategy and Development Management Policies Development Plan Document (2012)
- 2.8 **National Planning Practice Guidance**
 - Provides a range of guidance on planning matters including flood risk, viability, design and planning obligations.
- 3.0 **Representations**
 - Consultees**
 - 3.1 **St Ippolyts Parish Council** – No objection.
 - 3.2 **NHDC Environmental Health (Contaminated Land)** – No objection.
 - 3.3 **NHDC Environmental Health (Noise)** – No objection.
 - 3.4 **NHDC Environmental Health (Air Quality)** – No objection.

3.5 **NHDC Waste and Recycling** – No objection.

3.6 **NHDC Housing Supply Officer** – Based on 84 dwellings overall and a 40% affordable housing requirement, in accordance with the Local Plan, this equates to the provision of 34 affordable dwellings.

Within the overall 40% affordable housing requirement, a 65%/35% rented/other intermediate tenure split is required in accordance with the Council's Planning Obligations SPD and the 2023 Strategic Housing Market Assessment (SHMA). This equates to 22 rented units and 12 intermediate affordable housing units.

The affordable housing mix was agreed for all phases of the proposed development as part of the original hybrid permission 21/00434/HYA. The exact details of the affordable housing mix are provided later in this report.

3.7 **HCC Highways** – No objection subject to conditions.

3.8 **HCC Growth and Infrastructure** – No objection.

3.9 **HCC Lead Local Flood Authority (LLFA)** – No objection.

3.10 **HCC Historic Environment (Archaeology)** – No objection.

3.11 **HCC Rights of Way** – No comments.

3.12 **HCC Minerals and Waste** – No comments.

3.13 **Herts & Middlesex Wildlife Trust** – No comments.

3.14 **Herts Constabulary Crime Prevention** – Recommendations made to include lockable gates on several dwellings with side/rear access to rear of these respective dwellings. These recommendations were incorporated into the latest version of the plan drawings that accompany this submission.

3.15 **Environment Agency** – No comments.

3.16 **Natural England** – No objection.

3.17 **CPRE** – No comments.

3.18 **UK Power Networks** – No comments.

3.19 **HCC Fire and Rescue Services** – No comments.

3.20 **NHDC Ecology** – No objection.

3.21 **NHDC Leisure Manager** – No comments.

3.22 **NHDC Greenspace Manager** – No comments.

- 3.23 **NHS ICB** – No comments.
- 3.24 **Hitchin Forum** – No comments.
- 3.25 **Anglian Water** – No objection.
- 3.26 **Affinity Water** – No objection.

Neighbour and Local Resident Representations

- 3.27 The application has been advertised via neighbour notification letters, the display of site notices and a press notice. At the time of finalising this report, a total of 8 comments have been received including 5 objections and 3 neutral comments.
- 3.28 Neighbours objections and concerns are summarised as follows:
- Increased traffic and congestion
 - Concerns around highway safety for road users, pedestrians and cyclists
 - Inadequate existing road infrastructure
 - Safety concerns around vehicle movements and lack of visibility at the junction of Mill Lane/London Road
 - Concerns around proposed planting and site boundary treatments
 - Flooding and drainage concerns
 - Impact of vehicles, tools and machinery associated with the construction phase
 - Impact of noise and disturbance during the construction phase
 - Concerns around a lack of onsite parking provision

4.0 Planning Considerations

4.1 Site and Surroundings

- 4.1.1 The application site extends to about 3.48 hectares and is a single field to the south-eastern edge of Hitchin and about 400m to the north of St. Ippolyts. The site is bounded to the west by the B656 London Road. There is a small housing estate to the north accessed by a roundabout at the junction of London Road and Broadmeadow Ride. There is woodland to the east, within which there is a pond and Ippolyts Brook. To the south there is Pound Farm, which is a grade II listed building and associated dwellings converted or styled on agricultural buildings. There are residential properties on the opposite side of London Road, to the north-west of the site.
- 4.1.2 There are hedgerows with trees along the eastern and southern boundaries and sparse vegetation along the western boundary with London Road. There is a post and wire fence along the northern boundary beyond which there is a landscape corridor and footpath separating the site from the 1980s Ash/Lark Drive estate to the north. The site slopes down gently to the east towards the adjacent woodland.

4.2 Proposal

- 4.2.1 This reserved matters application follows the recent grant of outline planning permission which formed part of a hybrid application (Application Ref. 21/00434/HYA) described as follows:

“Hybrid application for a residential development to provide a total of up to 84 dwellings with associated access from London Road, including provision of a roundabout, associated parking, landscaping, open space and ancillary works comprising: Phase 1 – Application for full planning permission for the erection of 36 dwellings; Subsequent Phases – Application for outline planning permission all matters reserved except for access on the remaining part of the site for the erection of up to 48 dwellings.”

- 4.2.2 The outline element associated with the hybrid application relates to Phases 2 and 3. All matters were reserved except for access. The application seeks the approval of details for the following reserved matters in relation to the Phase 2 and 3 elements pursuant to conditions 7, 8 and 9 of the hybrid planning permission:

- Layout
- Scale
- Landscaping
- Appearance

- 4.2.3 In addition to the above, the application also seeks approval for the details required by condition 10 of the hybrid permission 21/00434/HYA in relation to the cycle parking/storage facilities for all phases of the development.

- 4.2.4 The development at Land north of Pound Farm will be delivered in three phases. The first phase ('Phase 1') relates to the detailed element, comprising 36 dwellings and associated works for which full planning permission has been granted under the hybrid application. The Phase 1 area covers the western portion of the site, incorporating the London Road frontage, as well as the land required for the central spine road and the areas of open space – as detailed on the accompanying drawings. 'Phase 2' comprises the central part of the site on either side of the spine road with 'Phase 3' occupying the easternmost developable portion of the site. Phases 2 and 3, to which this application relates, comprise a total of 48 dwellings.

- 4.2.5 The overall scheme in detail proposes 84 dwellings as follows:

Affordable Housing

33 x affordable dwellings (40%)

Phase 1

Affordable Rented Units comprising:

6 x one bedroom flats incl. 3 x M4(3) wheelchair accessible standard (plots 13, 16, 32, 33, 34 & 36)

2 x two bedroom flats (plots 35,37)

7 x three bedroom houses (plots 11,12,14,15,17,18,19)

Shared Ownership Units comprising:
2 x one bedroom flats (plots 30, 31)
4 x two bedroom flats (plots 26,27,28,29)

Phases 2 and 3

Affordable Rented Units comprising:
5 x two bedroom houses (plots 56,57,58,60,61)

Social Rented Units comprising:
1 x four bedroom house M4(3) wheelchair accessible standard (plot 59)

Shared Ownership Units comprising:
2 x two bedroom houses (plots 62, 63)
4 x three bedroom houses (plots 52,53,54,55)

Market Housing

51 x dwellings (60%)

Phase 1

1 x two bedroom dwellings
8 x three bedroom dwellings
6 x four bedroom dwellings

Phases 2 and 3

4 x two bedroom dwellings
11 x three bedroom dwellings
9 x four bedroom dwellings
12 x five bedroom dwellings

4.2.6 The application is accompanied by the following plans and documents:

- Site Location Plan
- Existing Site Plan
- Proposed Site Layout Plan
- Garage and Cycle Store Plans
- Coloured Street Scenes
- Phases 2 & 3 Coloured Masterplan
- Proposed House Types Drawings
- Affordable and Shared Ownership Plan
- Typical Single Driveway Setting Out Plan
- Typical Shared Parking Setting Out Plan
- Recycling Stores and Routes Plan
- Planting Plans and Planting Plan Overview
- Hard Landscape Plan and Hard Landscape Overview
- Planning Statement
- Design and Access Statement
- Drainage Strategy and Drainage Details

- Arboricultural Impact Assessment and Method Statement
- Landscaping Management Plan
- Specification for Landscape and Horticultural Works
- Transport Assessment
- Energy Statement

5.0 Key Issues

- 5.1 As this is a reserved matters application relating to an already approved hybrid (part full, part outline) permission complete with legal agreement, the discussion relates only to details which have been reserved, namely:

- Layout
- Scale
- Landscaping
- Appearance

Accordingly, the report will be structured around these headings with an added section dealing with 'other matters' such as affordable housing, ecology, sustainability etc. following a short introduction, which are only material insofar as they relate to the reserved matters and overall compliance with the outline planning permission.

5.2 Introduction

- 5.2.1 The application has been identified in the North Herts Local Plan as a housing site (HT2). The HT2 allocation has a dwelling estimate of 84 units and the following considerations for development are set out in the plan:

Policy HT2 – Land north of Pound Farm (St Ippolyts parish) – Dwelling estimate 84 homes

- Site layout designed to take account of existing wastewater infrastructure;
- Address existing surface water flood risk issues through SUDs or other appropriate solution;
- No residential development within Flood Zone 2;
- Maintain appropriate buffer zone from Ippolitts Brook at south-east of site;
- Consider and mitigate against any adverse impacts upon adjoining priority habitat (deciduous woodland) and key features of interest of adjacent local wildlife site (Folly Alder Swamp);
- Retain and reinforce planting along southern and eastern boundaries to ensure integrity of revised Green Belt boundary; and
- Sensitive design towards south-west of site and in areas viewed from Mill Lane to minimise harm to heritage assets.

5.3 Layout

- 5.3.1 Layout is defined in the Town and Country Planning (Development Management Procedure) Order 2015 (as amended) as, *"the way in which buildings, routes and open spaces within the development are provided, situated, orientated in relation to each other and to buildings and spaces outside the development..."*

- 5.3.2 The layout of the scheme has evolved and been amended during course of the application following negotiations with the applicant. Consequently, the following amendments have been made to the scheme:
- The garages from plots 38, 39, 46, 47, 48, 49, 50, 51, 65, 66, 69, 70, 76 and 77 have been entirely removed replacing them either with on-plot driveway parking, or in some instances car ports in line with the main dwelling to maximise the size of rear garden areas and address shadowing concerns.
 - The garages on plots 40, 64, 68, 71, 72, 74, 75, 78, 80, 81 and 82 have been amended by adjusting the depth of the garages in the plots to maximise the size of rear garden areas and address shadowing concerns.
 - Plot 24 has been reconfigured to improve the plot arrangement with the garage and reduce any shadowing effect in the rear garden/patio area.
 - The rear garden area of plot 61 has been reconfigured to provide a larger amenity space for future occupiers of this plot.
 - An additional pedestrian link has been provided opposite plots 40 and 72 which will provide more direct access to the public footpath that runs parallel to the northern boundary of the site and Larch Avenue.
- 5.3.3 The main spine road creates a west-east link within the site which intersects with a north-south link road incorporating an attractive central square open space. These roads are all linked together with an outer perimeter road, which creates a legible development and means that the development has largely active frontages with properties mostly 'looking out' of the development. The buildings on corner plots are dual aspect with windows serving habitable rooms on both sides which creates active frontages, and overall, the buildings would be of a reasonable height and spacing in relation to the road network.
- 5.3.4 Access is not a reserved matter as the means of access was approved as part of the hybrid application. However, the layout of the roads and pedestrian routes within the site in respect of phases 2 and 3 is considered as part of this reserved matters application. The Highways Authority have confirmed in their consultation response that the broad layout of the proposed internal access roads is acceptable. They have also confirmed that the internal roads will not be adopted by the Highways Authority. Notwithstanding this, they should be built to adoptable standards before first occupation. All waste collection points are shown to be within 25m of the refuse vehicle location. In terms of parking bays, all appear to meet standards in terms of dimensions and manoeuvrability space around them, and designated cycle spaces are shown. Overall, the Highways Authority have confirmed they do not object to the proposal subject to conditions and informatives.
- 5.3.5 The scheme is shown as being divided into four different character areas (Main Street, Central Square, Back Lanes and Green Edge) as identified in the Design and Access Statement. It is the officer view that a site of this size does not require distinct character areas. However, it is considered that the overall design approach taken is appropriate and the proposed development would relate successfully to its context.
- 5.3.6 It is considered that the proposed dwellings closest to the southern boundary (plots 52 to 63) would not have an adverse impact upon any existing properties to the south of the application site in terms of loss of privacy or built impact. This is by reason of the physical distance between the proposed dwellings and those existing properties as well as the existing trees and vegetation situated along the southern site boundary. Further on-site

enhancements are also proposed in the form of tree, hedge and shrub planting to reinforce the landscaping buffer along this site boundary. This is discussed in more detail later in this report. In terms of plots 43 and 44, the effect upon neighbouring amenity and separation distance between these dwellings and the existing properties immediately to the south of the application site was deemed acceptable as part of the hybrid (phase 1) application.

- 5.3.7 In terms of the proposed dwellings situated closest to the northern boundary of the site, these are plots 38, 39, 40, 72 and 73. In between these dwellings and the northern site boundary is the perimeter vehicular access road, and a strip of open green space, which is proposed to be enhanced with tree and vegetation planting. By virtue of the distance between these dwellings and the closest existing properties on Larch Avenue and Sycamore Close, it is considered that there would be no adverse impact upon these properties in terms of loss of privacy or built impact. Beyond the northern site boundary, there is also a strip of green space consisting of trees and a walking/cycling route which contributes substantially towards providing a meaningful separation space between the existing Broadmeadow Ride development and the application site; this area of land would remain the same.
- 5.3.8 The layout is such that no individual building within the development would be unreasonably impacted by surrounding buildings in terms of outlook, lack of light or loss of privacy. The back-to-back distances and back-to side-distances are considered reasonable. Where there are relatively close back to side distances between dwellings, there are no relationships in the proposed layout where there would be a conflict of windows with potential for overlooking.
- 5.3.9 Private garden space would be acceptable. The scheme has been redesigned to reduce the overall amount of garaging and on-site parking whilst still achieving the required minimum parking standards. This in turn has resulted in larger private garden areas to those relevant plots.
- 5.3.10 The plans demonstrate that the property sizes meet the technical housing standards – nationally described space standards.
- 5.3.11 The scheme has been redesigned so that it is less parking dominated. Regarding provision of car parking, the applicant has provided at least two spaces for all two, three, four and five bed units, as well as visitor parking across the site. Car parking spaces for all houses are conveniently located as close to the unit as possible to prevent on street parking, whilst not dominating the streetscene. There are 79 allocated parking spaces and 17 garage spaces (96 spaces in total). 35% of the houses have garages. For the purposes of calculating the parking spaces, the garages have been taken into consideration on the basis that the proposed dimensions of the garages would meet the minimum standard to be counted toward the overall on-site parking calculation. It is calculated by officers that the Local Plan parking standards require 96 parking spaces (including garage spaces). It has been demonstrated on the Proposed Site Layout Plan that this parking standard would be met. In terms of visitor parking spaces, 27 spaces are proposed which equates to 0.54 visitor spaces per dwelling. This is considered acceptable given the sustainable location of the site on the edge of Hitchin.

- 5.3.12 Most of the parking would be on plot and a significant proportion of the car parking would be provided to the side of dwellings. Where parking is proposed in front of dwellinghouses, space for landscaping has been provided to soften the parking in the streetscene. Landscaping is proposed to help settle parked cars into the street.
- 5.3.13 Condition 10 of the hybrid permission in respect of each phase of the development, requires details of the secured/covered cycle parking spaces to the submitted and approved by the Local Planning Authority prior to first occupation of each phase. In this regard, the relevant details have been provided in the submitted 'Proposed Site Layout Plan' and the 'Proposed Plans and Elevations for Garages & Cycle Store'. I consider the design of the proposed storage facilities and the proposed on-plot locations in respect of each dwelling to be acceptable.
- 5.3.14 The submitted 'Affordable & Shared Ownership Plan' shows the location of the affordable housing units throughout the site. In terms of phases 2 & 3, the affordable units would be roughly clustered together in the central southern section of the site. Although this would in general terms be contrary to the affordable housing guidance set out in the North Herts Developer Contributions SPD, the context here is important. When you consider the overall distribution of the affordable housing throughout the entire site amongst phases 1, 2 & 3 (as shown on the Affordable & Shared Ownership Plan), this demonstrates a good distribution of units throughout the western, northern and southern areas of the overall site. Furthermore, the efforts of the applicant have been acknowledged in terms of the choice of materials and design features that have been incorporated into the affordable units to make the development tenure blind.
- 5.3.15 In summary, the amended proposed layout is considered acceptable. The central open space and perimeter road layout represents good design. The proposed design is appropriate in its context on the edge of an existing settlement and would relate well to the existing residential development. It is considered that the proposed layout complies with North Herts Local Plan policies D1, D3 and T2.

5.4 Landscaping

- 5.4.1 Landscaping, in relation to reserved matters applications, is defined in the Town and Country planning (Development Management procedure) Order 2015 (as amended) as: *'the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes: (a) screening by fences, walls or other means; (b) the planting of trees, hedges, shrubs or grass; (c) the formation of banks, terraces or other earthworks; (d) the laying out of provision of gardens, courts, squares, water features, sculpture or public art; and (e) the provision of other amenity features...'*
- 5.4.2 The application is accompanied by Planting Plans, Hard Landscaping Plans, a Landscape Management Plan, a Specification for Landscape & Horticultural Works, and an Arboricultural Impact Assessment & Method Statement.
- 5.4.3 It is noteworthy that details relevant to the public open space at the rear of the site, the central green square and the front part of the site have already been approved as part of phase 1 of the development (Full permission as part of the hybrid application). The

relevant landscaping details being assessed as part of this reserved matters application only relate to phases 2 & 3. The submitted Planting Plans and Hard Landscaping Plans are clear in terms of the extent of the boundaries in respect of phases 2 & 3.

5.4.4 The key landscaping features proposed include:

- Creation of green buffer along the southern boundary through new planting to reinforce the existing vegetation;
- Landscaped buffer along part of the northern boundary shared with the Broadmeadow Ride development to the north;
- A scheme of street tree planting, shrub planting and soft landscaping; and
- Use of trees and planting to break up parking forecourts.

5.4.5 In the context of the overall site, the above would supplement the features already approved as part of phase 1 which includes:

- Landscaped frontage along London Road;
- Creation of open space at the eastern end of the site to provide landscaped buffer with adjacent established woodland which lies to the east; and
- Creation of a central 'village square' to provide an amenity landscape space.

5.4.6 Open space will comprise the central square, the larger open space at the eastern end of the site which will incorporate a Local Area of Play (LAP) and the area adjacent to part of the northern boundary that links into the existing open space to the south of the Broadmeadow Ride development. As previously mentioned, the details relating to the open space at the eastern end of the site and the central open square have full planning permission as part of phase 1. The area of open space adjacent to part of the northern boundary, as referred to above, falls within phases 2 & 3.

5.4.7 In terms of the southern boundary of the site, planting is proposed to enhance the existing trees, hedging and vegetation adjacent to the boundary. The plans indicate this would take the form of native shrub planting and ornamental shrubs. It is also proposed to plant eight trees along this boundary. In relation to plots 43 and 44 which are also situated adjacent to the southern site boundary, boundary treatment in the form of 1.8m close boarded fencing has already been approved as part of the hybrid application. Concerns have been raised by the neighbour adjacent to the southern boundary of the site in relation to the proposed planting and boundary treatments. In this regard, it is considered that the proposed measures would reinforce and enhance the existing landscaping buffer along the southern boundary of the site which in turn would ensure integrity of the revised Green Belt boundary as per the Local Plan site specific policy HT2. It would also provide additional screening of the site from the Pound Farm buildings. This view is also shared by NHDC's Senior Ecologist who has not objected to the proposals. Furthermore, it is considered that the proposed planting and boundary treatments would not result in material harm to the residential amenity of any neighbours to the south of the site.

5.4.8 In terms of the space between the proposed perimeter road and the northern boundary and north-east corner of the site, planting is proposed in the form of native shrub planting and a wildflower mix. It is also proposed to plant thirteen trees along this boundary and three trees adjacent to the northern tip of the eastern open space. It is considered that these measures would be suitable and appropriate in the context of this part of the site.

- 5.4.9 The landscaping strategy is intrinsically linked with the Ecology and Biodiversity Net Gain (BNG) requirements. *Policy NE4: Biodiversity and geological sites* states that 12m of complimentary habitat should be provided around wildlife sites (locally designated sites and above), trees and hedgerows, but it is not an absolute requirement of policy. It is necessary to implement the 12m buffers pragmatically otherwise some of the smaller proposed housing allocation sites in the Local Plan could well be undeliverable. It is noted that the hybrid application was assessed prior to the adoption of the North Herts Local Plan. Therefore, the application would not have been assessed against policy NE4. Notwithstanding this, it is considered that the buffers proposed in respect of phases 2 & 3 would be sufficient in this instance in the context of the site and the immediate area.
- 5.4.10 The Proposed Site Layout Plan provides details of the location and type of any new walls, fences or other means of enclosure within and around the edges of the site, as well as the areas of proposed landscaping. This primarily consists of 1.8m high timber close boarded fencing and 1.8m high brick walls. The plan indicates that the timber fencing will primarily be used to provide boundaries in rear garden areas with brick walls forming boundaries in areas of the site primarily adjacent to streets where they would be highly visible from the street scene. It is considered that this would be an acceptable approach which in turn would promote a high quality street scene environment.
- 5.4.11 The Arboricultural Impact Assessment and Method Statement sets out the tree protection measures for the existing trees and confirms that the latest layout would not result in any additional tree removals other than the recommendation to remove dead/dying elms on the road frontage. Trees to be retained will be protected during works by tree protection measures and the application of arboricultural method statements, which would be carried out under arboricultural supervision. A condition is recommended requiring that the Arboricultural Impact Assessment and Method Statement is complied with. In this instance, tree protection and replacement conditions are not required as they were imposed on the hybrid permission. The plans indicate that the following trees would be removed: one Category C tree to the front of the site, a small section of Category U trees to the front of the site, one Category B tree inside the site adjacent to the northern boundary required for the construction of the new outer perimeter road in this part of the site, and one Category B tree in the north-east corner of the site required for the construction of new footpath. The proposed planting details indicate that approximately 60 new trees would be planted.
- 5.4.12 In summary, the proposed landscaping scheme details are acceptable. They would create a positive environment for future occupiers of the development. It would also soften the proposed development in the landscape and create strong new boundaries with the Green Belt.

5.5 Appearance

- 5.5.1 Appearance is defined in the Town and Country Planning (Development Management Procedure) Order 2015 (as amended) as: *'the aspects of a building or place within the development which determines the visual impression the building or places makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture...'* Therefore, this reserved matter relates more to the appearance of dwellings and the use of materials.

- 5.5.2 The site sits on the southern edge of Hitchin. The character of the existing nearest residential development to the north, west and south of the site is quite mixed. The houses are relatively modern in the Broadmeadow Rise estate, whereas the dwellings on London Road and Mill Lane are a mix of old and new properties.
- 5.5.3 In terms of the appearance, the approach for phases 2 & 3 very much follows on from the approved approach for phase 1, which is for a traditional style of architecture. It is considered that this would allow the built form to positively respond to the character of the area and the location of the site on the edge of the built-up area of Hitchin.
- 5.5.4 The materials proposed would be a combination of brick, render and weatherboarding for the external walls of the buildings and a combination of tiles to finish the pitched roof surfaces. The materials would be representative of the mix in the surrounding area consisting of red/multi brick, terracotta brick, dark coloured weatherboard cladding and cream coloured render. The proposed roof tiles would be rustic red plain tiles and charcoal grey tiles. These materials will be varied across the site to create interest, whilst providing a sense of cohesion from this relatively simple palette of materials. Detailing is proposed in the form of brick plinths, false windows, bay windows, as well as the use of different headers for window and styles of canopies which are all considered appropriate.
- 5.5.5 It is considered that the chosen palette of materials would ensure there is variation between the different building types whilst providing the development with its own distinctive identity and ensuring the materials proposed for phases 2 & 3 remain compatible with those approved on phase 1.
- 5.5.6 The proposed mix of dwellings, consisting of terraced, semi-detached and detached is considered appropriate for the site and the requirements for the area. The roof design of the dwellings in the scheme reflects that of the surrounding area with simple roof forms with some modest dormer windows.
- 5.5.7 It is considered that the proposed affordable dwellings incorporate a good level of detailing and design features in an attempt to successfully make these dwellings tenure blind.
- 5.5.8 In summary, the proposed appearance of the dwellings and the proposed palette of materials would reflect the local context.

5.6 **Scale**

- 5.6.1 Scale is defined in the Town and Country Planning (Development Management Procedure) Order 2015 (as amended) as: *'the height., width and length of each building proposed within the development in relation to its surroundings'*...
- 5.6.2 It is considered that the scale of the development, as well as individual buildings is acceptable. The majority of dwellings would be two storey buildings with a small number of 2.5 storey buildings primarily located around the central green square. In terms of proposed garage buildings, these would all be single storey in height. The proposal would comprise a mix of both private and affordable dwellings and would consist of a range of sizes and types. This would be consistent with the surrounding residential development. Within the site there is a varied layout of detached, semi-detached and terraced units. There is a good relationship between all buildings.

5.6.3 It is considered that the proposed dwellings closest to the site boundaries with neighbouring residential properties would be of an acceptable height and would not harm the living conditions of the occupiers of surrounding properties in terms of intrusion into aspect or loss of daylight or sunlight.

5.6.4 In summary, the scale of the proposed development would be appropriate in its context.

5.7 Other Matters

Affordable Housing

5.7.1 The affordable housing mix was agreed through the section 106 as part of the previous hybrid permission 21/00434/HYA. The agreed mix has followed through into this reserved matters application and is clearly set out in 4.2.5 of this report with a breakdown for each phase of the development.

Ecology

5.7.2 Site specific policy HT2 states, *“Consider and mitigate against any adverse impacts upon adjoining priority habitat (deciduous woodland) and key features of interest of adjacent local wildlife site (Folly Alder Swamp); and maintain appropriate buffer zone from Ippolitts Brook at south-east of site.”*

5.7.3 It is noted that the previous hybrid application was accompanied by an Ecological Appraisal and confirmed there was limited wildlife interest on the application site. A Biodiversity Net Gain Metric was also submitted identifying a net gain in biodiversity of about 1%. Policy NE4 of the Local Plan requires the delivery of measurable net gain for biodiversity net gain. The hybrid application was submitted and assessed prior to mandatory 10% biodiversity net gain; therefore, the proposal was policy compliant in this regard and Hertfordshire Ecology raised no objections accordingly. Whilst officers considered there was no policy requirement for 10% biodiversity net gain, and the proposal would comply with Local Plan Policy NE4, the applicants offered a financial contribution towards the enhancement of biodiversity off-site.

5.7.4 A condition was imposed on the hybrid permission requiring an ecological management plan to be submitted to and approved by the Local Planning Authority with details of how ecological units would be delivered. In respect of phase 1, these details were subsequently submitted and approved in June 2024. Given that phase 1 also covers the large open space on the eastern part of the application site and matters relating to the buffer zone to the adjacent woodland and the local wildlife site, it is considered that the relevant parts of the site-specific policy have been sufficiently address through the previous application submissions. A further submission will be required by the applicant in respect of the same condition on the hybrid permission for phases 2 and 3. NHDC’s Senior Ecologist has also not objected to the current proposal.

Impact on heritage assets

- 5.7.5 Under Policy HT2 of the North Herts Local Plan, which sets out the site-specific criteria, a requirement states:

“Sensitive design towards south-west of site and in areas viewed from Mill Lane to minimise harm to heritage assets”.

- 5.7.6 For the reasons set out above, it is considered that the proposed layout, scale, and landscaping constitute sensitive design. In terms of this reserved matters application regarding phases 2 & 3, it is considered that the proposal would result in no harm to heritage assets.

Energy and Sustainability

- 5.7.7 The application submission is accompanied by an Energy Strategy Statement prepared by Briary Energy (dated May 2025).
- 5.7.8 The statement confirms that the development will in the first instance ensure a Building Regulation compliant carbon reduction across all 48 dwellings (phases 2 & 3) through fabric measures, before assessing LZC technologies where appropriate. The statement also confirms that all 48 dwellings will be equipped with air source heat pump systems which have an efficient conversion rate from energy to heat and will assist with reducing carbon emissions.

Environmental considerations

- 5.7.9 The Waste Management Team have raised no objections. In addition, the details shown on the Recycling Store & Routes Plan of proposed bin store locations, bin collection locations and bin routes as well as the proposed refuse vehicle tracking route was deemed acceptable by HCC Highways. They confirmed that all waste collections points are within 25m of the refuse vehicle locations. In addition, the tracking diagram route shows a 12.1m long refuse collection vehicle (RCV) which is currently in use across the North Herts district area.
- 5.7.10 The Environmental Health Team have not raised any objections and the conditions relating to land contamination, noise assessment, and an EV charging points condition was imposed on the hybrid permission.
- 5.7.11 The LLFA initially didn't comment on the application and amended scheme. Following receipt of further information, the LLFA confirmed that the submitted information shows that Phases 2 & 3 can be appropriately drained through the drainage network provided within Phase 1 without flood risk to the site, and therefore they have no objection to this application.
- 5.7.12 Various matters have been raised through representations which are not directly relevant to the consideration of this application as they are beyond the scope of an application for reserved matters. Other matters have been addressed in the report above.

5.8 Conclusion

- 5.8.1 This application for Reserved Matters follows from the approval of outline application ref. 21/00434/HYA which includes detail on layout, scale, appearance, and landscaping.
- 5.8.2 Subject to appropriately worded conditions, it is considered that the proposed development would be of a suitable scale commensurate to the site located on the edge of the settlement; have an acceptable and functional layout for residents and visitors to the site; be of an appearance considerate to the site and its setting and would be acceptable in terms of proposed landscaping. These reserved matters link well with details already approved by way of the hybrid permission and applications for approval of details reserved by condition and would not prejudice legal covenants contained within the Section 106 agreement.
- 5.8.3 The proposed development is considered to accord with relevant policy provisions of the local development plan as listed above as well as the NPPF.
- 5.8.4 The application site is an allocated housing site in the adopted local plan and will therefore make an important contribution to the housing land supply. As the Council is currently unable to demonstrate a 5-year housing land supply, the tilted balance of paragraph 11(d) of the NPPF is engaged. The collective benefits of the development as described would be significant. Any adverse impacts would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole. The scheme therefore benefits from the presumption in favour of sustainable development which is a further material consideration.
- 5.8.5 The application site falls within the settlement boundary, as defined in the Local Plan. The application site benefits from an allocation under Policy HT2 for an estimated 84 dwellings and the Local Plan removed the whole site from the Green Belt for development and incorporated it within the settlement boundary of Hitchin. This policy also contains detailed policy criteria for consideration in the determination of any relevant applications for planning permission. It is considered that the proposals broadly comply with the site-specific policy criteria set out in Policy HT2. Where the proposals do not completely comply with the policy criteria set out in HT2, it is considered that on balance these are not sustainable reasons to withhold planning permission.
- 5.8.6 There are no material considerations to indicate that the application should not be determined in accordance with the development plan. For the reasons set out above it is the officer's view that the proposed development would accord with the development plan including the adopted Local Plan, and that there are no sustainable reasons to withhold the approval of reserved matters. As such, details should be approved subject to conditions.

6.0 Alternative Options

- 6.1 None applicable (see 'Key Issues' section of this report above).

7.0 Pre-Commencement Conditions

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

8.0 Legal Implications

- 8.1 In making decisions on applications submitted under the Town and Country Planning legislation, the Council is required to have regard to the provisions of the development plan and to any other material considerations. The decision must be in accordance with the plan unless the material considerations indicate otherwise. Where the decision is to refuse or restrictive conditions are attached, the applicant has a right of appeal against the decision.

9.0 Recommendation

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

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

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

2. Notwithstanding the information submitted with the Reserved Matters application, prior to construction above damp-proof course of phases 2 and 3 of the development hereby approved, a schedule of materials to be used on all external elevations and the roof of the dwellings hereby approved shall be submitted to and approved in writing by the Local Planning Authority 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 in accordance with Policy D1 of the North Hertfordshire Local Plan (2011-2031).

Landscaping Details

3. The approved details of soft landscaping shall be carried out before the end of the first planting season following either the first occupation of any of the buildings within phases 2 and 3 or the completion of the development, whichever is the sooner; and any trees or plants which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced during the next planting season with others of similar size and species, unless the Local Planning Authority agrees in writing to vary or dispense with this requirement.

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

Landscape Management Plan

4. Development shall be carried out in accordance with the Landscape Management Plan and Specification for Landscape & Horticultural Works prepared by Aspect Landscape Planning (dated December 2024) unless otherwise agreed in writing by the Local Planning Authority.

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

Trees

5. Development shall be carried out in accordance with the Arboricultural Impact Assessment and Method Statement Report prepared by Sharon Hosegood Associates (dated December 2024) unless otherwise agreed in writing by the Local Planning Authority.

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

Bin and Cycle Storage

6. The development shall be carried out in accordance with the Proposed Site Layout Plan (Drawing No. 24113 P101 G) and the Cycle/Bin Storage Plans (Drawing No. 24113 P130 A). The approved details shall be installed prior to the occupation of each dwelling and permanently retained for bin and cycle storage.

Reason: To ensure that the development will have an acceptable appearance which does not detract from the appearance and character of the surrounding area and in accordance with Policy D1 of the North Hertfordshire Local Plan (2011-2031) and to ensure the provision of cycle parking/storage spaces in line with the Council's adopted standards and to encourage the use of sustainable modes of transport.

Energy and Sustainability

7. Phases 2 & 3 of the development hereby approved shall be constructed in accordance with the submitted Energy Strategy Statement prepared by Briary Energy (dated May 2025), and details of the proposed air source heat pumps submitted to and approved in writing by the Local Planning prior to their installation, and the identified sustainability measures shall be maintained and retained thereafter.

Reason: In order to provide a sustainable form of development, to reduce the carbon footprint of the development and in order to minimise the impact on Climate Change.

Highways

Internal Roads, Parking and Serving Area

8. Prior to the first occupation of any dwelling within the development site (Phases 2 & 3), all proposed onsite car and cycle parking, servicing roads, turning /waiting area as shown on the drawing (Ref- ITL200569-GA-002, Rev-C) shall be laid out, demarcated, levelled, surfaced, and drained in accordance with the approved plan and retained thereafter available for that specific use.

Reason: To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

Visibility

9. Prior to the first occupation of the development (Phases 2 & 3) the subject of approval of reserved matters, all visibility splays shall be provided in full accordance with the details indicated on the approved plan (Ref-ITL200569-GA-003, Rev -D). The splay shall always thereafter be maintained free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

Reason: To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018) and Roads in Hertfordshire, Section 4, 2.3.

Informatives:

Highways

AN1) Works within the highway (section 278): The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> or by telephoning 0300 1234047.

AN2) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence.

Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

AN3) Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their

permission and requirements before construction commence. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> telephoning 0300 1234047.

AN4) Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.

Anglian Water

Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore, the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

10.0 Appendices

10.1 Appendix 1 – Decision Notice for planning application ref: 21/00434/HYA

10.2 Appendix 2 – Decision Notice for planning application ref: 25/00453/NMA