ITEM NO:		
1	Location:	**Hitchin Cricket Ground Lucas Lane Hitchin Hertfordshire SG5 2JA**
	Applicant:	**CALA Homes**
	Proposal:	**Reserved matters application for erection of 27 dwellings with access from Lucas Lane including scale, layout, design and landscaping (following the granting of outline planning permission reference 15/00192/1 granted 22/03/2016 - DEVELOPMENT A only)**
	Ref.No:	18/00191/RM
	Officer:	**Tom Rea**

Date of expiry of statutory period : 23.05.2018

Reason for Delay (if applicable)

Reason for Referral to Committee (if applicable)

Submitted Plan Nos

PL04B PL05 PL06 PL07 PL08 PL09 C PL10 Rev B PL11 PL12 PL13 PL14 PL01U PL27 A PL28 PL29B 0018-000-010 P2 0018-000-011 P2 CALA21577-11J Sheet 1 CALA21577-11J Sheet 2 CALA21577-12K Sheet 1 CALA21577-12KJ Sheet 2 PL02 PL03 PL15 PL16 PL17 PL18C PL19B PL20B PL21B PL22B PL23 PL24 WIE-13932-SA-95-0001-A07 WIE-13932-SA-95-0002-A08 - WIE-13932-SA-95-0003-A06 WIE-13932-SA-95-0004-A02 WIE-13932-SA-95-0005-A02 WIE-SA-95-0009- A01

1.0 Policies

Reason for Delay

Negotiations and amended plans. An extension of time to the statutory period has been agreed until 23rd July 2018.

Reason for Referral to Committee

The site area exceeds 1 hectare.

1.0 Relevant History

1.1 15/00192/1 – Development A) Outline application for erection of 27 dwellings with access from Lucas Lane - details of scale, layout, design and landscaping are reserved;

Development B) Full planning application for the provision of all weather sports pitch with 8 x 15m floodlight columns, replacement clubhouse, scorebox/implement shed with changing facilities, widened access from Gaping Lane and provision of additional parking.

Granted 22/3/16. Development B) is under construction and due for completion September 2018

2.0 Policies

2.1 **North Hertfordshire District Local Plan No.2 with Alterations (Saved Policies)**
Policy 2 - Green Belt.
Policy 26 - Housing proposals.
Policy 51 - Development Effects and Planning Gain.
Policy 55 - Car Parking Standards.
Policy 57 - Residential Guidelines and Standards.

Supplementary Planning Documents.
Design SPD
Planning Obligations SPD
Vehicle Parking Provision at New Development SPD.

2.2 **National Planning Policy Framework**
Section 1 - Building a strong, competitive economy.
Section 3 - Supporting a prosperous rural economy.
Section 4 - Promoting sustainable transport.
Section 6 - Delivering a wide choice of high quality homes.
Section 7 - Requiring good design.

Section 9 - Protecting Green Belt land
Section 11 - Conserving and enhancing the natural environment.

2.3 **North Hertfordshire District Local Plan 2011-2031 Proposed Submission**

Policy SP1 Sustainable Development in North Hertfordshire
Policy SP2 Settlement Hierarchy
Policy SP5 Countryside and Green Belt
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 T1 Assessment of Transport Matters
Policy T2 Parking
Policy HS3 Housing Mix
Policy HS5 Accessible and Adaptable Housing
Policy D1 Sustainable Design
Policy D4 Air Quality
Policy NE1 Landscape
Policy NE5 New and improved public open space and biodiversity
Policy NE6 Designated biodiversity and geological sites
Policy NE7 Reducing Flood Risk
Policy NE8 Sustainable Drainage Systems
Policy NE9 Water Quality and Environment

The application site currently lies within the Green Belt as identified in North Hertfordshire District Local Plan No.2 with Alterations (Saved Policies)

2.4 **National Planning Practice Guidance**
Provides a range of guidance on planning matters including flood risk, viability, design and planning obligations.

2.5 **Consultation Draft National Planning Policy Framework (March 2018)**

Relevant throughout but particularly Section 7 'Requiring good design'

3.0 **Representations**

3.1 **Hertfordshire Highways:**
Does not wish to restrict the grant of permission subject to conditions, highway informatives.

3.2 **NHDC Waste Services Manager:**
Recommends the imposition of a condition seeking further details of the circulation route for refuse collection vehicles. Provides advice on various aspects of waste and recycling collection standards and procedures for collection.

3.3 **Lead Local Flood Authority :**
Raises no objections the reserved matters application.

3.4 **Hertfordshire Ecology** :
Recommends some additional off-site planting to achieve ecological enhancements.

3.5 **Natural England :**
Advises that it has no comments to make on the reserved matters application

3.6 **Hertfordshire County Council Rights of Way Unit** :
Concern that the development may adversely affect Lucas Lane during construction and afterwards. Recommends that provision must be made for the protection and maintenance of the surface of this route, and to prevent additional conflict with non-motorised users.

3.7 **Site Notice/ Neighbour consultation:** Correspondence from local residents can be viewed on the Council's web site. The comments and objections include the following matters:

- Inappropriate development in the Green Belt – a brownfield site should be used
- Planning permission should be rescinded – contrary to Green Belt policy
- Contrary to restrictive covenant on the sports club site – should be refused
- Alternative construction routes and future access routes to the site should be sought and residents parking zones introduced
- The local road network is at capacity and a robust assessment of highway impact and potential improvements has not been made – an updated traffic assessment should be made
- Detrimental impact on pedestrian health and highway safety
- Increased air pollution. Off site planting should be considered
- Adverse cumulative impact following approved developments in the area
- Lack of safety measures in place for construction traffic
- Disruption from construction traffic
- Construction traffic will impede emergency vehicle access
- Unauthorised use of Lucas Lane by construction traffic
- Concern that construction traffic will not use the approved routes and at the permitted times
- Damage to local road infrastructure
- Infrastructure is not in place to accommodate the development
- Local agencies / the Council should protect the environment
- Boundary hedges and trees should be maintained
- Pedestrian access routes through the boundary hedgerow should not be permitted (due to loss of hedgerow and parking in Lucas Lane).
- Noise and disturbance from sports club development
- Lucas Lane needs to be re-surfaced to accommodate the extra traffic that will use it and speed limits imposed / access only restriction
- Proposed housing will not help the housing needs of local people
- Drainage should be fit for purpose
- Lack of bungalows in the proposals for elderly
- Cramped layout – should be less houses
- Previous Wormold Burrows traffic assessment was ignored by NHDC and should be re-considered
- Insufficient green infrastructure is being provided
- Lack of parking

Several residents have stated that they support the sports club development and accept that housing development is necessary and that there will be disruption during the construction

period.

4.0 Planning Considerations

4.1 Site & Surroundings

4.1.1 The application site is located on the western edge of Hitchin and comprises approximately 1.4 hectares (3.5 acres) of land formerly part of the Hitchin Cricket Club / Blueharts Hockey Club sports ground. The application site is accessed directly off Lavender Way across Lucas Lane a Byway Open to All Traffic (BOAT 7). The site is boundaried by Lucas Lane on its eastern boundary, the vehicular access into the sports ground on its southern boundary , the cricket club / hockey club along its western boundary and by the Oughton Close mobile home park to the north. A significant feature of the site is the hedgerow and tree boundary on its north, eastern and western boundaries. There is a fall in levels from west to east across the site of up to 1.5m and a fall in levels from the southern boundary to the northern boundary of up to 4 metres.

The whole of the application site is within the Green Belt in the current North Hertfordshire District Local Plan with Alterations 1996 (Saved Policies, 2007).

4.1.2 The application site is located on the western built up edge of Hitchin. The area to the north, east and south is characterised by residential property with the surroundings roads (Lavender Way, Gaping Lane and West Lane) mainly consisting of two storey detached and semi-detached properties. The adjoining land to the west is an established sports ground and home to Hitchin Cricket Club and Blueharts Hockey Club. Beyond the sports pitches and associated structures to the west is open countryside.

4.2 Proposal

4.2.1 The proposals seek reserved matters planning permission for the layout, scale, appearance and landscaping of 27 dwellings following the outline grant of planning permission on 22nd March 2016 which included the means of access to the site across Lucas Lane from Lavender Way.

The dwellings the subject of this application are proposed to be two storey in height and of detached and semi-detached design sited around a central access road. The dwellings will comprise open market housing and would include the provision of 21 x 4 bedroom houses and 6 x 5 bedroom houses.

4.3 Key Issues

4.3.1. The key issues for consideration of this full planning application are as follows:

- Principle of Development.
- Layout
- Scale
- Appearance

- Landscaping
- Construction traffic
- Conclusion

4.3.2 There are several pre-commencement conditions which require further submission of information relating to Development A (i.e. outline permission for 27 dwellings and means of access) on the granted permission ref: 15/00192/1. These conditions cover the following matters:

Condition 2 – Construction Traffic Management Plan
Condition 3 – Construction phasing and environmental management programme
Condition 7 – Site Waste Management Plan
Condition 8 – Circulation route for waste collection vehicles
Condition 9 – Development phasing
Condition 10 – Football related mitigation measures
Condition 15 – Construction Method Statement
Condition 16 –Preliminary Risk Assessment
Condition 17 – Interim Travel Plan

4.3.3 Planning permission ref: 15/00192/1 is subject to a Section 106 legal agreement involving various covenants and financial contributions.

4.3.4 Reserved matters to be considered with this application are defined in the Town and Country Planning Development Management Procedure Order (England) (2015) as :

- 'Appearance' – the aspects of a building or place within the development which determine the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.
- 'Landscaping' – 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 or provision of gardens, courts, squares, water features, sculpture or public art; and (e) the provision of other amenity features;
- 'Layout' – the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development.
- 'Scale' – the height, width and length of each building proposed within the development in relation to its surroundings.

4.3.5 **Principle of development**

4.3.6 The principle of the erection of 27 dwellings on the application site was established by the granting of outline planning permission on 22nd March 2016. At the Council's Planning Control Committee meeting of 20th August 2015 the Committee considered that the provision of enhanced sports facilities to the wider community constituted very special circumstances that outweighed the harm to the Green Belt by reason of inappropriateness. The detailed planning permission for the sports facilities also granted under planning permission ref: 15/00192/1 has been implemented and works are well advanced on site.

4.3.7 It is acknowledged that a number of residents have objected to this reserved matters application on planning policy grounds as well as concerns with regard to increase in traffic and construction traffic. However these issues were considered with the original hybrid application and therefore, following the granting of that permission and implementation of the sports development proposals, the only matters that are for consideration with this application are the specific details of the layout, scale, appearance and landscaping of the housing development.

4.3.8 Details of the method of construction associated with the housing scheme, including construction traffic management are controlled by conditions attached to the original application as referred to above. These details will be submitted for consideration and discharge by the Local Planning Authority should the Committee resolve to grant reserved matters consent.

4.3.9 **Layout**

4.3.10 The layout of the site has been influenced largely by the point of access agreed at the outline application stage (i.e. by adapting the existing field access off Lucas Lane at the top of Lavender Way), the desire to retain the rural character and landscape features of Lucas Lane and to retain, as far as possible, views through the site to the cricket club site from the main access road into the site. In addition consideration as to the impact of the development on existing residents living opposite the site in Lucas Lane has also determined to a degree the layout of the development.

4.3.11 The main vehicular and pedestrian access to the site has been designed to allow clear views into the site and to integrate it with surrounding development and the right of way. Plots 1, 2 , 26 & 27 front onto the access road on entry to the site but are setback at least 6 metres from the footway. The orientation of these dwellings facing the carriageway helps to create a sense of arrival within the development. Further into the site a footpath link leads to the western boundary with a gap of 14 metres between plots 18 and 20 to maintain a vista through to the cricket ground. Footpath connections are provided either side of the access point linking into Lucas Lane.

4.3.12 Throughout the rest of the site all dwellings front onto the internal access road providing natural surveillance but with a set back to allow landscaped front gardens and defensible space . All dwellings have back gardens of at least 10 metres in depth with overall amenity space for each dwelling of at least 100 sq metres which is compliant with guidelines in Policy 57 of the local plan.

4.3.13 The position of the dwellings within the site allows for views through the development from properties in Lucas Lane and also provides less uniformity and more interest to the internal street scene. Generally, gaps of 2 metres or more are provided between the dwellings on the development.

4.3.14 Ten visitor parking spaces are provided in four areas. Each dwelling can accommodate 3 parking spaces off the street. The Parking Supplementary Planning Document would require 9.25 visitor spaces and therefore rounded up to 10 spaces the development complies with the standards. Adequate turning area is provided for refuse and delivery vehicles. Pedestrian access points are proposed to the western boundary into the sports club site and onto Lucas Lane in addition to the main access. The potential for

other pedestrian connection points provides permeability and convenience to proposed /existing residents and visitors.

4.3.15 Outline permission has been granted for 27 dwellings and the density of the development is 19.3 dwellings per hectare (dph). It is considered that the density is similar to that of the surrounding area and is appropriate for this edge of settlement location. The layout of properties with front and back gardens, off street parking and garages is in keeping with the overall pattern of development in the area.

4.3.16 **Scale**

The proposal is for 8 semi-detached dwellings and 19 detached dwellings. All of the dwellings would be two storey and would have a maximum ridge height of between 8.5 metres – 9.25 metres. Eaves height would be 5.3m throughout the scheme. The garages to plots 8, 22 & 23 would have a maximum height of 5.0 metres. The development would incorporate a mixture of hipped and gables roof designs.

4.3.17 The surrounding roads on this western edge of Hitchin comprise predominantly of two storey detached and semi-detached housing with a variety of roof forms and external materials. I consider that the scale of the development is compatible with the prevailing form and appearance of surrounding development.

4.3.18 **Appearance**

The proposed dwellings would be two storey and of traditional design with hipped and pitched roofs and projecting gables. Six different house types are proposed across the site. Four pairs of semi-detached dwellings are proposed and 19 detached dwellings. Typical roof pitches would be between 35 – 45 degrees. A limited range of external materials is proposed consisting primarily of two types of Ibstock facing bricks and rustic brown or red rooftiles. Windows, fascia, bargeboards and soffits would be white PVCu.

4.3.19 The site is not within a conservation area and there are no listed buildings within the vicinity of the site or locally listed buildings. However the materials and range of architectural features proposed throughout the development such as gables, bay windows, porches, brick headers , stone cills and decorative brickwork around entrances are all sympathetic to the local vernacular. Integral and detached garages and landscaped front gardens are also in keeping with the local context.

4.3.20 There is sufficient range of housing styles to provide interest to the development to reflect housing designs in the area. The layout and section drawings demonstrate that there are a variety of orientations to the dwellings and gaps through the development to capture visual interest and create an attractive place to live and visit.

4.3.21 In terms of appearance therefore I consider that the development is acceptable in terms of the local context and that the architectural features and materials, form and design of the dwellings would improve the character and quality of the area.

4.3.22 **Landscaping**

A key feature of the existing site is the hedgerow along the Lucas Lane boundary together with various trees both within and outside of the site boundary. The majority of the Lucas Lane hedgerow is shown to be retained on the revised landscape plans (with the exception of the site access widening and footpath connection). I consider that the retention of this hedge will help to preserve the semi-rural character of the lane and the wider area. The hedge along the eastern boundary is to be retained and managed by

the sports clubs whilst the proposed landscape plans for the housing development intend for a 1.8m high close boarded fence to be erected behind this hedgerow.

4.3.23 New planting is set out in the detailed landscaping specification and include specimen trees, shrubs and hedges throughput the development site. Boundary treatment is generally close boarded fencing set behind hedgerows thereby reducing the visual impact of the enclosure and enabling maintenance of the hedgerow.

4.3.24 A Soft landscape Management and Maintenance Plan is proposed to ensure the establishment of the landscaping scheme and for the future maintenance of the scheme by future occupiers and a management company to be appointed by the developer (Cala Homes). A condition is recommended to ensure the scheme is maintained in perpetuity.

4.3.25 The use of permeable block paving for the access roads, tegula charcoal setts for parking bays and block paving for driveways and footways adds to the overall quality of the development.

4.3.26 Permitted development rights have been removed for this development (including extensions and outbuildings). This will assist the Local Planning Authority to control future development proposals on the site and to maintain its landscaped character.

4.3.27 Generally the proposals are considered to be compliant with emerging policy D1 which requires new developments to retain existing vegetation and propose appropriate new planting. The landscaping scheme will assist in integrating the development into the existing built and semi-rural environment. Overall I consider that there are no harmful effects in landscape terms.

4.3.28 **Construction Traffic**

As stated above the developer of this site will need to submit a Construction Traffic Management Plan and a Construction Phasing and Environmental Management Plan prior to the commencement of work on the housing development. The details will need to include construction traffic routes and delivery times. Given recent issues with construction traffic for the sports development particular emphasis will be placed on compliance with and enforcement of the construction traffic details. In addition, Hertfordshire County Council as highway authority will be asked to make Temporary Traffic Regulation Orders along the construction routes to address pedestrian safety, congestion and damage to the highway including verges, footpaths and street signage.

The applicant has agreed to undertake a condition survey of the Right of Way along Lucas Lane (BOAT 7) and has committed to undertaking any necessary works to return the right of way to the condition recorded prior to works commencing on the housing development. This has been agreed with the Rights of Way officer at Hertfordshire County Council and will be included within the CTMP to be agreed with the Local Planning Authority.

4.3.29 **Conclusion**

4.3.30 It is considered that the proposals achieve a sensitive integration with existing development. Existing rights of ways / footpaths are maintained and new connections proposed where appropriate.

4.3.31 The development proposes a modest range of house types with a limited range of external materials. The form and architectural features of the development are sympathetic to the surrounding area. The development is compatible with local distinctiveness and adds to the overall quality of the area.

4.3.32 The development provides adequate parking in accordance with current standards. Even so, the site is in an accessible location close to the town centre, local schools, parks and open spaces and other services which will encourage occupiers and visitors to walk and cycle to / from the site.

4.3.33 The density of the development is not excessive and two storey housing is appropriate given the scale of surrounding housing. There are no historic assets nearby or designated landscape or ecological areas that constrain development. The principle of development on this site has been agreed at the outline stage.

4.3.34 Given all of the above in my judgement the proposals would comply with Policy 57 of the adopted local plan and relevant emerging local plan policies as set out above. The proposals would enhance the quality of the area complying with paragraph 58 of the National Planning Policy Framework.

5.0 **Legal Implications**

5.1 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.

6.0 **Recommendation**

6.1 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. The development hereby permitted shall be implemented and maintained in perpetuity in accordance with the approved Soft Landscape Management and Maintenance Plan (as submitted by ACD Environmental, dated 13/12/17).

Reason: To ensure that the development will have an acceptable appearance which does not detract from the appearance and character of the surrounding area.

3. 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.

4. 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.

5. Any tree felled, lopped, topped, uprooted, removed or otherwise destroyed or killed contrary to the provisions of the tree retention condition above shall be replaced during the same or next planting season with another tree of a size and species as agreed in writing with the Local Planning Authority, unless the Authority agrees in writing to dispense with this requirement.
Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality.

Proactive Statement:
Planning permission has been granted for this proposal. The Council acted proactively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted proactively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

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6. Before the development is first occupied 0.65 metre x 0.65 metre pedestrian visibility splays shall be provided and permanently maintained both sides of each driveway. They shall be measured from the point where the edges of the access way cross the highway boundary, 0.65 metres into the site and 0.65 metres along the highway boundary. Therefore forming a triangular visibility splay. Within which, there shall be no obstruction to visibility between 600 mm and 2.0 metres above the footway level.

   Reason: To provide adequate visibility for drivers entering and leaving the site.

7. Before the new access is first brought into use vehicle to vehicle visibility splays of 2.4 metres by 26 metres in both directions shall be provided and permanently maintained. Within which there shall be no obstruction to visibility between 600 mm and 2.0 metres above the footway level. These measurements shall be taken from the intersection of the centre line of the permitted access with the edge of the carriageway of the highway respectively into the application site and from the intersection point along the edge of the carriageway.

   Reason: To provide adequate visibility for drivers entering and leaving the site.

8. The access road to the residential development shall be 5.5 metres wide, that narrows to 4.8 metres as shown on swept path analysis drawing number Drawing Number WIE/SA/95/0001 revision A07 and drawing number PL.01 revision U.

   Reason: To facilitate the free and safe flow of other traffic on the highway and the

safety and convenience of pedestrians and people with a disability.

Proactive Statement:
Planning permission has been granted for this proposal. The Council acted proactively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted proactively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Informative/s:
Highway Informative:
HCC recommends inclusion of the following highway informative to ensure that any works within the public highway are carried out in accordance with the provisions of the Highway Act 1980:
1. Works to be undertaken on the adjoining highway shall be constructed to the satisfaction of the Highway Authority and in accordance with Hertfordshire County Council publication Roads in Hertfordshire Highway Design Guide. Before proceeding with the proposed development, the applicant shall follow the link below; https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx or call on 0300 1234 047 to obtain the requirements for a section 278 agreement for the associated road works as part of the development. This should be carried out prior to any development work is carried out.
REASON:
To ensure that work undertaken on the highway is constructed to the current Highway Authority's specification, to an appropriate standard and by a contractor who is authorised to work in the Public Highway.
2. Prior to commencement of the development the applicant shall contact Network Management North at NM.North@hertfordshire.gov.uk or call on 0300 1234 047 to obtain the requirements to arrange a site visit to agree a condition survey of the approach of the highway leading to the development likely to be used for delivery vehicles to the development. Under the provisions of Section 59 of the Highways Act 1980 the developer may be liable for any damage caused to the public highway as a result of traffic associated with the development. Herts County Council may require an Officer presence during movements of larger loads.