

NORTH HERTFORDSHIRE DISTRICT COUNCIL

Town and Country Planning Act 1990

DECISION NOTICE

Correspondence Address:

Rapleys LLP
66 St James's Street
London
SW1A 1NE

Applicant:

c/o agent

PARTICULARS OF DEVELOPMENT

Application: 24/02780/RM

Proposal: Construction of the main spine road (The Avenue) from Stotfold Road connecting to High Dane, creation of drainage ponds, swales and other associated drainage infrastructure, signage and other necessary highway and service infrastructure (to serve future development parcels) (outline was EIA development with an ES submitted)

Location: Land North Of Highover Farm To Stotfold Road, Highover Way, Hitchin, Hertfordshire,

Plan Nos: General Purpose Large GRC Headwall EDS-07-3102-11 version A sheet 1-3 HOF-WSP-ZZ-ZZ-DR-C-5001-P06 HOF-WSP-ZZ-ZZ-DR-C-5002-P06 HOF-WSP-ZZ-ZZ-DR-C-5003-P06 HOF-WSP-ZZ-ZZ-DR-C-5004-P06 HOF-WSP-ZZ-ZZ-DR-C-5005-P05 HOF-WSP-ZZ-ZZ-DR-C-5006-P06 HOF-WSP-ZZ-ZZ-DR-C-5007-P04 HOF-WSP-ZZ-ZZ-DR-C-5008-P04 HOF-WSP-ZZ-ZZ-DR-C-5009-P04 HOF-WSP-ZZ-ZZ-DR-C-1501-P04 HOF-WSP-ZZ-ZZ-DR-C-1502-P04 HOF-WSP-ZZ-ZZ-DR-C-1503-P042 HOF-WSP-ZZ-ZZ-DR-C-1504-P04 HOF-WSP-ZZ-ZZ-DR-C-1505-P04 HOF-WSP-ZZ-ZZ-DR-C-1505-P02 HOF-WSP-ZZ-ZZ-DR-C-1002-P10 HOF-WSP-ZZ-ZZ-DR-C-1003-P107 HOF-WSP-ZZ-ZZ-DR-C-1004-P107 HOF-WSP-ZZ-ZZ-DR-C-1005-P10 HOF-WSP-XXX-ZZ-SK-C-0005-P04 HOF-WSP-XXX-ZZ-SK-C-0004-P02 HOF-WSP-ZZ-ZZ-DR-C-5010-P04 HOF-WSP-ZZ-ZZ-DR-C-5011-P04 HOF-WSP-ZZ-ZZ-DR-C-5012-P04 HOF-WSP-ZZ-ZZ-

DR-C-5013-P03 HOF-WSP-ZZ-ZZ-DR-C-0001-P05 HOF-WSP-ZZ-ZZ-DR-C-12006-P02 HOF-WSP-ZZ-ZZ-DR-C-12001-P06 HOF-WSP-ZZ-ZZ-DR-C-12002-P06 HOF-WSP-ZZ-ZZ-DR-C-12003-P06 HOF-WSP-ZZ-ZZ-DR-C-12004-P06 HOF-WSP-ZZ-ZZ-DR-C-12005-P06 HOF-WSP-ZZ-ZZ-DR-C-8101-P01 HOF-WSP-ZZ-ZZ-DR-C-8001-P01 HOF-WSP-ZZ-ZZ-DR-C-7102-P02 HOF-WSP-ZZ-ZZ-DR-C-7101-P02 HOF-WSP-ZZ-ZZ-DR-C-7001-P05 HOF-WSP-ZZ-ZZ-DR-C-7002-P054 HOF-WSP-ZZ-ZZ-DR-C-7003-P05 HOF-WSP-ZZ-ZZ-DR-C-7004-P05 HOF-WSP-ZZ-ZZ-DR-C-7005-P05 HOF-WSP-ZZ-ZZ-DR-C-5403-P02 HOF-WSP-ZZ-ZZ-DR-C-5402-P02 HOF-WSP-ZZ-ZZ-DR-C-5401-P02 HOF-WSP-ZZ-ZZ-DR-C-5302-P02 HOF-WSP-ZZ-ZZ-DR-C-5301-P02 HOF-WSP-ZZ-ZZ-DR-C-5201-P01 HOF-WSP-ZZ-ZZ-DR-C-5015-P04 HOF-WSP-ZZ-ZZ-DR-C-5014-P04 HOF-WSP-ZZ-ZZ-DR-C-0002-Rev-P05 MD-SHE-0474-1672-2200-1672 HOF-WSP-XXX-ZZ-SK-C-0021-P02 HOF-WSP-XXX-ZZ-SK-C-0006-P03 HOF-WSP-ZZ-ZZ-DR-C-1001-P10 SHE-0474-1672-2200-1672 General Purpose GRC Headwall Drainage Details Design Guidance Construction Approved V2.1 May 2021 Inlet Headwalls/outlet Headwalls ACO SuDS Swale Inlet Brochure AWSFA28Z Outlet Headwall 1350x AWSFA20Z Inlet Headwall 1350 AWSFA20Z Inlet Headwall 1200 AWSFA15W Inlet Headwall 600 AWSFA11Y Outlet Headwall 525 AWSFA10X Inlet Headwall 450x AWSFA10X inlet Headwall 375 AWSFA6Y Inlet Headwall 300 AWSFA6A Outlet Headwall 300 Planning, Design and Access Statement Rapleys LLP Environmental Impact Assessment Technical Note Rapleys LLP Tree Survey 19/09/2024 ACD Environmental Design Code Checklist 02/10/2025

PARTICULARS OF DECISION

In pursuance of its powers under the above Act and the associated Orders and Regulations, the Council hereby **GIVE APPROVAL** to the details submitted by you in your application received on 23 December 2024 and which were reserved for later approval in outline permission no.18/01154/OP.

This approval is subject to the following condition(s):

Planning 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. No development above ground level shall take place until a detailed soft and hard landscaping plan for the areas of open and greenspace including the footpaths, drainage basins, swales and bunds within the relevant subsequent phases as set out in the Site Wide Phasing and Delivery is submitted and approved in writing by the Local Planning Authority.

The hard and soft landscaping plans shall include:

- o full details of planting plans and written specifications, including cultivation proposals for maintenance and management associated with plant and grass establishment, details of the mix, size, distribution, density and levels of all trees/hedges/shrubs to be planted and the proposed time of planting. The planting plan shall use botanic names to avoid misinterpretation. The plans should include a full schedule of plants;
- o The location and specification of minor artefacts and structures, including furniture, refuse or other storage units, signs and lighting columns/brackets;
- o 1:200 plans (or at a scale otherwise agreed) including cross sections, of roads, paths and cycleways;
- o Details of all hard surfacing materials (size, type and colour).

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 the visual amenity of the locality in accordance with the North Hertfordshire Local Plan Policies SP9, SP17, NE2 and NE6.

3. No development above ground level shall commence on relevant development parcels until details are submitted showing the location of any vehicular crossovers and street trees (including tree pit details and details of the species; number and spacing of trees and shrubs) along the highway verge of the main road subject of this application within the relevant subsequent phases as set out in the Site Wide Phasing and Delivery. The development shall be completed in accordance with the approved details and thereafter retained.

Reason: In the interests of consistency with future plans and highway safety, and to safeguard and enhance the appearance of the completed development the visual amenity of the locality in accordance with the North Hertfordshire Local Plan Policies SP9, SP17, NE2 and NE6 and Hertfordshire's Local Transport Plan (2018).

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

(paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Signed:



Shaun Greaves
Development and Conservation Manager

Development Management
North Hertfordshire District Council
Council Offices
Gernon Road
Letchworth
Herts
SG6 3JF

Date: 27 October 2025

The Council's Privacy Notice is available on our website: <https://www.north-herts.gov.uk/home/council-data-and-performance/data-protection/information-management-gdpr>

NOTES

- 1 **Failure to satisfy conditions may invalidate this permission and/or result in enforcement action. Particular attention should be paid to the requirements of any condition in bold.**
- 2 Circular 04/2008 (Planning Related Fees) states that where an application is made under Article 21 of the Town and Country Planning (General Development Procedure) Order 1995, a fee will be payable for any consent, agreement or approval required by condition or limitation attached to the grant of planning permission.
- 3 The fee is £145 per request or £43 where the permission relates to an extension or alteration to a dwellinghouse or other development in the curtilage of the dwellinghouse. No fee is required for applications resulting from a condition removing "permitted development rights".

The request can be informal through the submission of a letter or plans, or formal through the completion of an application form and the submission of plans. Any number of conditions may be included on a single request. The form is available on the Council's website:
www.north-herts.gov.uk/home/planning/planning-applications/submit-planning-application
- 4 If the development hereby permitted is one that will require a new postal address/es then please contact the Council's **street naming and numbering service** on 01462 474431 or email SNN@north-herts.gov.uk who will advise you on how to apply for the new address/es.

Any proposed sales and/or marketing name to be adopted by the developer should

be forwarded to the **street naming and numbering service**, prior to any publication of the site details and sales information.

- 5 If you are aggrieved by the decision of your local planning authority (LPA) to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.

However, if an enforcement notice has been served for the same or very similar development the time limit is 28 days from the date of the LPA decision or 28 days from the date the enforcement notice was served.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

6 **Purchase Notices**

If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development

which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

- 7 The District Council and County Highway Authority wish to ensure that, in the implementation of the development, hereby approved, the highway verge adjacent to the property is not damaged or does not become unsightly due to the stationing of skips, parking of vehicles, storing of building materials etc thereon. Your attention is, therefore, drawn to the provisions of Section 131 of the Highways Act 1980 and to the Hertfordshire County Council Bylaws 1955 (specifically relating to grass margins and verges in Letchworth Garden City) by virtue of which such actions, unless authorised by the prior grant of a licence, constitute a prosecutable offence. Persons responsible for undertaking the development and any associated works are, therefore, strongly encouraged to take appropriate steps to ensure that no breach of the said legislation occurs during the course of such activities. In the event of any damage being caused it will be expected that suitable reinstatement is undertaken upon completion of the development. Failure to do so could also result in legal action being pursued. To obtain information regarding the issue of licences, contact Hertfordshire Highways, Hertfordshire County Council, County Hall, Pegs Lane, Hertford, SG138DQ or telephone 0300 1234 047.

8 **Cadent Gas Informative:**

Cadent Gas own and operate the gas infrastructure within the area of your development. Contact our Plant Protection Team for approval before carrying out any works on site and ensuring requirements are adhered to. Email plantprotection@cadentgas.com Alternatively you can register on www.beforeyoudig.cadentgas.com This service is free of charge.

THIS PLANNING PERMISSION DOES NOT CONSTITUTE APPROVAL UNDER BUILDING REGULATIONS AND IS NOT A LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT. IT DOES NOT CONVEY ANY APPROVAL OR CONSENT WHICH MAY BE REQUIRED UNDER ANY ENACTMENT, BYELAW, ORDER OR REGULATION OTHER THAN SECTION 57 OF THE TOWN AND COUNTRY PLANNING ACT 1990.

Consent for these works may be required from the Letchworth Garden City Heritage Foundation (www.leitchworth.com/heritage-foundation) under the

Scheme of Management or leasehold covenants. If you do not already have their approval, you are advised to contact the Heritage Foundation on home@letchworth.com or 01462 476017 to confirm whether you also need to submit an application to them.