ITEM NO:		
2	Location:	**Land North Of Highover Farm To Stotfold Road Highover Way Hitchin Hertfordshire**
	Applicant:	**BDW Trading Ltd**
	Proposal:	**Outline application with all matters reserved other than access, comprising residential led development of up to 700 dwellings of use class C3 (dwellings), approximately 500 sqm of neighbourhood-level facilities, a new 2FE primary school, open space, play space, green infrastructure, and associated accesses (vehicular, pedestrian and cycle), including a new primary access off Stotfold Road with limited access off High Dane (as amended).**
	Ref.No:	18/01154/OP
	Officer:	**Sarah Kasparian**

Date of expiry of statutory period : 18.09.2018

Reason for Delay (if applicable)

Reason for Referral to Committee (if applicable)

Submitted Plan Nos
62240435-TAA-DP-100-001 P09 62240435-TAA-DP-100-002 P12 62240435-TAA-DP-100-003 P10 62240435-TAA-DP-100-004 P10 PL1685-PLA-00-XX-DR-U-002-S4-P01 PL1685-PLA-00-XX-DR-U-007-S4-P05 PL1685-PLA-00-XX-DR-U-015-S4-P01 PL1685-PLA-00-XX-DR-U-016-S4-P01 PL1685-PLA-00-XX-DR-U-017-S4-P01 PL1685-PLA-00-XX-DR-U-018-S4-P01 PL1685-PLA-00-XX-DR-U- 103-S4-P01 PL1685-PLA-00-XX-DR-U-108-S2-P04 62240435-TTP-DP-300-001-02 Rev P07

1.0 Policies

ITEM NO:		
	Location:	**Land North of Highover Farm to Stotfold Road Highover Way, Hitchin**
	Applicant:	**BDW Trading Ltd**

Proposal:	**Outline application with all matters reserved other than access, comprising residential led development of up to 700 dwellings of use class C3 (dwellings), approximately 500 sqm of neighbourhood-level facilities, a new 2FE primary school, open space, play space, green infrastructure, and associated accesses (vehicular, pedestrian and cycle), including a new primary access off Stotfold Road with limited access off High Dane (as amended by plans and documents received 6th,13th and 29th January 2020, 4th, and 20th February 2020, 8th September 2020 and 17th, 20th and 21st December 2021 and 24th January 2023).**
Ref. No:	**18/01154/OP**
Officer:	**Sarah Kasparian**

Date of expiry of statutory period: 18 September 2018

Extension of statutory period: 31 August 2023

Reason for Delay

Ongoing delays with the examination of the emerging Local Plan, which is now adopted together with detailed negotiations and drafting of the s106 legal agreement.

Reason for Referral to Committee

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

1.0 Site History

1.1 The site has been subject of major housing development for many years through submission of site representations during the preparation of the adopted Local Plan 2011-2031.

1.2 The site had been included in the emerging Local Plan from an early stage for approx. 700 dwellings with associated development and infrastructure.

1.3 In 2016 and 2017 applications were submitted ref. 16/02022/1SO and 17/00680/1SCP for screening and scoping opinions in relation to Environmental Impact Assessment regulations. As a result, an Environmental Statement was included in this planning application.

2.0 Policies

2.1 **North Hertfordshire District Local Plan 2011 – 2031**

Adopted 8th November 2022

Policy SP1: Sustainable Development in North Hertfordshire
Policy SP2: Settlement Hierarchy
Policy SP5: Countryside and Green Belt
Policy SP6: Sustainable transport
Policy SP7: Infrastructure requirements and developer contributions
Policy SP8: Housing
Policy SP9: Design and sustainability
Policy SP10: Healthy communities
Policy SP11: Natural resources and sustainability
Policy SP12: Green infrastructure, biodiversity and landscape
Policy SP13: Historic Environment
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 HE1: Designated heritage assets
Policy HE4: Archaeology

The application site is identified in the NHDC Submission Local Plan 2011 – 2031 as an allocated Strategic housing site under Policy SP17: Site HT1 'Highover Farm, Hitchin'

2.2 **Supplementary Planning Documents**

Design SPD
Developer Contributions SPD 2023
Vehicle Parking Provision at New Development SPD (2011)
North Hertfordshire and Stevenage Landscape Character Assessment

2.3 **National Planning Policy Framework (February 2019)**

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

2.4 **Hertfordshire County Council**

Local Transport Plan (LTP4 – adopted May 2018)
Hertfordshire Waste Core Strategy and Development Management Policies Development Plan Document 2012

2.5 **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 **NHDC Senior Conservation Officer** – Objection (referring to amended plans) - increasing the area of the grassland meadow to the west of Highover Farm and omitting some housing is sufficient in terms of preserving a reasonable rural setting to Highover Farm…whilst there would undoubtedly still be an adverse impact upon the setting of the listed barn, the position of this harm on the 'less than substantial harm' continuum has, in my opinion, moved further away from the upper end and towards there being a moderate degree of less than substantial harm…my concerns have been positively addressed. In my opinion, the scheme remains a para 196 case and as I have said before, these comments are given in the full acknowledged that there would likely be significant public benefits overall.

3.2 **NHDC Principal Strategic Planning and Implementation Officer** – The document demonstrates conformity with Policy SP9 and SP17 and provides a robust design framework to secure and co-ordinate design quality and support more detailed design.

3.3 **NHDC Waste and Recycling** – No objection, subject to conditions requiring suitable waste storage and collection facilities.

3.4 **NHDC Environmental Health (Contaminated Land)** – No objection regarding contamination, subject to conditions requiring a further Phase II environmental risk assessment be carried out and assessed.

3.5 **NHDC Environmental Health (Air Quality)** – No Objection subjections to conditions requiring a Detailed Demolition and Construction and Management Plan, a Residential Travel Plan and EV charging points.

3.6 **NHDC Environmental Health (Noise)** – No objection subject to conditions requiring a scheme of noise protection for dwellings close to Stotfold Road, to the Rail line and the Industrial sources and requiring a scheme of noise control measures on fixed plant.

3.7 **NHDC Housing Development Officer** – No objection, subject to the provision of 40% affordable housing (280 units), to comprise of 65% affordable rent (182 units) and 35% shared ownership units (98 units) (see table below at 5.8.4 for further details)

3.8 **NHDC Greenspace Manager –** No objection subject to North Herts Council adopting open space, parks and allotments. Recommendation for 1x NEAP and 2x LEAP, with financial contributions towards the upkeep of the greenspaces (see table below at 5.8.4 for further details)

3.9 **NHDC Landscape and Urban Design Officer** (commenting only on original proposals September 2018) – No objections, although pedestrian linkages should be increased and improved.

3.10 **HCC Highways** – No objection, subject to 15 conditions and s106 obligations set out in table below at 5.8.4.

3.11 **HCC Growth and Infrastructure** – No objection subject to the suitable transfer of land to allow for the construction of a new 2 form of entry Primary School on site and subject to financial contributions via a s106 legal agreement towards Primary education, Secondary education, Childcare Services, Library Services, Youth Services and SEND Services (Special Educational Needs Department) (see table below at 5.8.4 for further details).

3.12 **HCC Lead Local Flood Authority (LLFA) –** No objection, following the submission of additional information and subject to conditions requiring the development be carried out in accordance with the submitted Flood Risk Assessment and Drainage Strategy , that the final design of the drainage scheme be submitted and approved prior to commencement and that on completion of the drainage works a management and maintenance plan for the SuDS features and drainage network must be submitted and approved.

3.13 **HCC Historic Environment (Archaeology) –** No objections, subject to conditions requiring submission of a Written Scheme of Investigation involving a further programme of strip, map and sample excavation. This is required as the proposal is likely to have impacts on heritage assets of archaeological interest.

3.14 **HCC Minerals & Waste –** No objection, subject to a condition requiring the submission and agreement of a Site Waste Management Plan

3.15 **HCC Fire and Rescue Services –** No objection, subject to a s106 obligation for the provision of fire hydrants on site

3.16 **HCC Countryside and Rights of Way Officer –** No objection, subject to improved accessibility over the railway line to the north and crossing over Stotfold Road and off-site contributions to improve the wider Public Right of Way Network.

3.17 **Environment Agency –** No objection, subject to four conditions requiring a remediation strategy regarding contamination, a scheme for surface water disposal and restricting piling or foundation designs and boreholes without the express permission of the LPA.

3.18 **Hertfordshire Ecology** – No objection, subject to suitable financial contributions towards off-site biodiversity compensation scheme, to secure overall biodiversity net gain, and subject to conditions requiring a Landscape and Ecology Management Plan and to retain 12m buffers with wildlife sites

3.19 **Herts and Middlesex Wildlife Trust** – No Objection. Reconsulted February 2023. Satisfied that the site can achieve biodiversity net gain, subject to a condition. Noted that there should be a 12m buffer to priority habitats across the site.

3.20 **Natural England** – No objection

3.21 **Historic England** – No objection

3.22 **Highways England** – No objection

3.23 **NHS Clinical Commissioning Group** – No objection, subject to s106 obligations towards the expansion of Portmill Surgery in Hitchin (see table below at 5.8.4 for further details)

3.24 **Herts Constabulary (Crime Prevention Design Advisor)** – No objection, however concerns raised regarding rear parking courts and applicants/ developers seek 'Secured by Design' Accreditation.

3.25 **Sport England** – initial objection has been addressed through s106 contributions towards off-site contributions towards sports pitch expansion and improvements (see table below at 5.8.4 for further details).

3.26 **Thames Water** – No objection

3.27 **Affinity Water** – No objection

3.28 **Anglian Water** – No objection subject to a condition regarding details of a phasing plans and details of foul water drainage. The foul drainage from this development is in the catchment of Hitchin Water Recycling Centre which currently does not have capacity to treat the flows the development site will produce. Anglian Water are obligated to accept the foul flows from the development with the benefit of planning permission and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should permission be granted.

3.29 **Network Rail** – No objection, subject to the closure of the existing pedestrian level-crossing and all drainage be directed away from Network Rail's retained land and structures.

3.30 **National Grid (Asset Protection Team)** – No objection

3.31 **Hitchin Forum** – Objection due to building on the Green Belt, it would reduce the important separation between Hitchin and Letchworth and would generate a large amount of traffic, worsening the already congested roads in the surrounding area. Also, reservations about the traffic modelling and the distance from the site to Hitchin town centre, which would induce residents to travel by car.

3.32 **CPRE Hertfordshire (Campaign to Protect Rural England)** – Objection. Contrary to Green Belt policies in the NPPF and Emerging Local Plan. The site forms a significant part of the Green Belt buffer between Hitchin and Letchworth There are no very special circumstances and although this site is allocated in the ELP, it is not yet adopted. In addition, the proposed development uses substantially Grade 2 agricultural land, with small areas of Subgrade 3a, which is amongst the highest quality agricultural land in Hertfordshire.

3.33 **Department for Levelling Up, Housing and Communities (Casework Team)** – No comments to make on the Environmental Statement (formally 'Ministry for Housing, Communities and Local Government')

3.34 **Letchworth Garden City Heritage Foundation** – No objection, subject to a strong buffer being provided to the northern and eastern boundaries of the site. Concerns raised regarding the Transport Assessment originally submitted

3.35 **Neighbour and Local Resident Representations**

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 198 comments have been received including 185 objections, 2 submissions in support and 11 neutral comments.

3.36 The objections and the issues raised are summarised as follows:

- Protection of the Green Belt and quality farmland; development would be premature of the adoption of the Local Plan and reduction of the gap between Hitchin and Letchworth
- Location is not sustainable or suitable due to poor highway access
- Landscape value would be lost to residents and walkers
- High density form of development that will not address local housing needs or blend with the existing character of existing adjacent development. Question regarding affordability of 'affordable homes'
- Housing should provide for an aging population as well as disabled people with single storey dwellings with reference to compliance with the Equality Act
- Increase to the proposed number of houses from ~480 to 700, and up to 800 units
- Objection to new footpath links to Collison Close and Roundwood Close which will attract anti-social behaviour and increased footfall
- Increased traffic on main and local roads which cannot cope with the existing level of traffic through Hitchin and between junctions with Cambridge Road, concern regarding road safety and speeding along Stotfold Road, suggestion of a bypass to the north of Hitchin. Driving will be the main mode of transport due to the distance of the site from the town centre, secondary schools and railway station
- Cumulative impact of other developments in Hitchin on traffic and infrastructure/services
- Lack of local employment for new residents
- Concern regarding the school access arrangements and impact on new residents and the local highway network
- No information regarding parking and impact on parking in residential streets nearby, particularly High Dane for people accessing the industrial estate or as a 'rat run'
- No support for parking courts to be included in the design as they will not be used by residents putting pressure on nearby roads
- Increased noise and air pollution as a result of traffic and construction
- Developer should contribute towards new foot and cycle paths, including dedicated cycle path along the A505 under the railway line to the station
- Better sustainable modes of transport should be provided such as buses
- Capacity of infrastructure and services (education, especially lack of onsite secondary school provision, and healthcare); noted that a GP surgery has been removed from the proposals. Concern regarding the timing of delivery of the primary school
- Concern for residents of Highover Cottages regarding overlooking and access from Highover Way – this objection has been addressed following amendments to the masterplan
- Difficult access to Hitchin station from the north/east and lack of parking there
- Impact on local ecology and their habitats, disagreement with the way that biodiversity net gain is calculated, lack of thorough assessment, reference to bats, owls, newts and birds
- Lack of consideration to environmental principles including increased flood risk (on Grovelands Avenue, Stotfold Road and Cambridge Road junction)
- Preference for a landscape buffer between existing and proposed housing to ensure surface water infiltration, existing hedgerow maintenance and to protect residential amenity
- Supporting new housing goes against the Council's aims on climate change
- Lack of consideration to energy consumption and measures to decrease carbon emissions
- Lack of water pressure in the area exacerbated by the proposals and in the event of a fire emergency

- More consideration should be given to archaeological remains
- Amendments to the plans do not address initial objections
- Spelling mistakes in evidence base demonstrating out of date information and a lack of confidence in the developer

4.0 **Planning Considerations**

4.1 Site and Surroundings

1.1.1 The site is located to the north-east of Hitchin urban area, within a triangular shape between part of the Great Northern railway line, Stotfold Road and the built-up edge of the town. An employment site sits on the other side of the railway line from the site to the west. There are open arable fields to the north and east beyond the road and railway line. The urban area of Letchworth is 700m to the northwest.

1.1.2 The site comprising about 37.5 ha was traditionally part of Highover Farm, and farming on the land ceased in the last few years in lieu of housing development as allocated in the now adopted Local Plan. There are two larger fields of about 12 hectares each, and three smaller parcels of 3-4 hectares each, with a track through the centre of the site out from the farmyard. There is hedgerow with small trees around the perimeter of the site and between field boundaries. The site slopes down gently away from Hitchin towards the most northern point of the site and rises again up towards Letchworth.

1.1.3 The Highover Farm farmyard adjacent to the site boundary has been excluded from this application and comprises a tightly knit set of traditional farm buildings and farmhouse. The largest barn has recently been statutorily listed for its historic interest. In 2022 scaffolding was constructed around the building in order to protect it due to its vulnerable condition. The farmyard is accessed from the end of Highover Way, an unclassified adopted road serving residential properties, which turns into a track serving the farmyard to the right and Highover Cottages to the left.

1.1.4 The site is adjacent to the end of several residential roads including High Dane, Armour Rise, Collison Close and Roundwood Close. Access to the larger fields can be taken from Stotfold Road, where there is an agricultural access halfway along the site boundary where the two larger fields meet. Stotfold Road is a straight road between Hitchin and Letchworth running roughly north to south. It runs across and under the railway line also linking the two towns. There are no public rights of way within the application site boundary.

4.2 Proposal

4.2.1 This is an outline planning application with all matters reserved other than access to the site, where the main vehicular access from Stotfold Road is un-reserved and the principle of vehicular access from High Dane and the principle of pedestrian/cycle access from Highover Way, Armour Rise and Collison Close is un-reserved.

4.2.2 Development proposals comprise residential led development of up to 700 dwellings of use class C3 (dwellings), approximately 500 sqm of neighbourhood-level facilities, a new 2FE primary school, open space, play space, green infrastructure, and associated accesses (vehicular, pedestrian and cycle).

4.2.3 The proposals include a new primary vehicular access off Stotfold Road with limited access off High Dane. The development will be phased and subject to future application(s) for reserved matters.

4.2.4 Plans and documents have been amended as of January 2020, February 2020, September 2020, December 2021, with a final submission of various amended plans and documents received January 2023.

4.2.5 The application is supported by the following supporting documents and plans:

- Updated Strategic Masterplan Framework Document (dated 4 May 2023)
- Updated Planning Statement (December 2021)
- Updated Design and Access Statement (January 2023)
- Sustainability Statement (April 2018)
- Phase 1 Environmental Risk Assessment (July 2017)
- Utilities Statement (September 2017)
- Indicative Housing Mix Note (December 2019)
- Statement of Community Involvement (April 2018)
- 19604 Topographical Survey Sheets 1-5
- 62240435-TAA-DP-100-004 P10 Highover Way Proposed Access
- 62240435-TAA-DP-100-005 P08 Stotfold Road Cycle-Footpath Access
- 62240435-TAA-DP-100-006 P09 Armour Rise Cycle-Footpath Access
- 62240435-TAA-DP-100-007 P10 Collinson Close Cycle-Footpath Access
- 62240435-TAA-DP-100-008 P11 Stotfold Road Cycle-Footpath Improvements
- 62240435-TAA-DP-100-009 P10 Treatment of Stotfold Road
- 62240435-TAA-DP-100-013 P08 Typical Spine Road/Avenue Junctions and Tracking
- 62240435-TAA-DP-100-014 S P07 Spine Road/Avenue Movement Restriction
- NTS2d Illustrative Masterplan

Plans to be Approved:

- PL1685-PLA-00-XX-DR-U-001 S4 Rev P02 Site Location plan
- PL1685-PLA-00-XX-DR-U-002-S4-P01 Movement and Access Framework Plan
- PL1685-PLA-00-XX-DR-U-007-S4-P05 Urban Framework Plan
- PL1685-PLA-00-XX-DR-U-015-S4-P01 Biodiversity and Landscape Framework Plan
- PL1685-PLA-00-XX-DR-U-016-S4-P01 Density and Building Heights Framework Plan
- PL1685-PLA-00-XX-DR-U-017-S4-P01 Land Use Framework Plan
- PL1685-PLA-00-XX-DR-U-018-S4-P01 Development Areas Framework Plan
- PL1685-PLA-00-XX-DR-U-103-S4-P01 Green Infrastructure Parameter Plan
- PL1685-PLA-00-XX-DR-U-108-S2-P04 Character Areas Framework Plan
- 62240435-TAA-DP-100-001 P08 General Arrangement (in so far as it related to the main vehicular access from Stotfold Road and the principle of vehicular access from High Dane and the principle of pedestrian/cycle access from Highover Way, Armour Rose and Collison Close)
- 62240435-TAA-DP-100-002 P11 Stotfold Road Proposed Access
- 62240435-TAA-DP-100-003 P09 High Dane Proposed Access

4.2.6 The application is also accompanied by the Environmental Statement with the following updates having been undertaken:

- Updated ES parameter plans and short Addendum sheet for consistency between documents
- Updated ES Technical Appendix 8.1a Flood Risk Assessment December 2019; Appendix 9.2 Transport Assessment November 2021; Appendix 10.7 Biodiversity Impact Calculation January 2023; Appendix 10.8 Breeding Birds August 2020;

Appendix 10.9 Bat Tree Climbing Survey August 2020; Appendix 10.10 Reptile Survey August 2020;

- Updated ES Non-Technical Summary

4.3 Environmental Impact Assessment

4.3.1 During the promotion of this site for housing development the applicants for the site at the time submitted a request in 2016 for a Screening Opinion ref. 16/02022/1SO, which resolved that the proposals fell within the scope of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (EIA) Regulations 1999 and that an Environmental Statement (ES) would be required. Subsequently a scoping request was made in 2017 to which a response was provided in May 2017.

4.3.2 Whilst EIA regulations form an important part of planning legislation, they are not an exact fit, in that matters to be determined under the EIA process can be wider in scope than normal land use planning considerations. Nevertheless, the ES supporting this planning application comprises much of the technical work that support the proposals and is accompanied with other technical work that was not 'scoped in' to the ES for this planning application (such as the phase 1 contamination report).

4.3.3 When determining a planning application for development which has been accompanied by an ES, LPAs must demonstrate that they are satisfied that the environmental impacts set out in the ES can be satisfactorily mitigated. This additional responsibility will be reflected in an addition to the final decision notice and under the EIA regulations 2011 (as amended) Part 6 Regulation 29 and 30, to include the following information:

i. The content of the decision, the reasoned conclusion, any conditions attached or monitoring measures considered, if appropriate;
ii. The main reasons and consideration on which the decision is based, including if relevant, information about the participation of the public;
iii. A description, where necessary, of the main measures to avoid, reduce and, if possible, offset the major adverse effects of development.

4.3.4 These points are covered in this Committee Report, which includes conditions at the end of this report, should the resolution be to grant planning permission. The Environment Statement, along with other relevant documentation submitted with the planning application, consultee responses and representations made by any other persons constitute the 'environmental information' which has been considered in this report and is required to be taken into account when arriving at a decision on this planning application. The environmental effects have been comprehensively assessed and are understood, such that officers are able to form a planning judgement on the acceptability of the Outline application proposal and the necessary mitigation.

4.4 Legal basis of determining the Planning application

4.4.1 Members will be familiar with the standard legal advice that is set out at the end of each planning Control Committee report which advises that legislation requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. This approach was developed within Section 54A of the Town and Country Planning Act 1990 (as amended). It is also re-emphasised within Section 38(6) of the Planning and Compensation Act 2004, which reads as follows:

4.4.2 '*if regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise'*.

5. Key Issues

5.1.1 The key issues for consideration of this planning application are as follows:

a. Policy background and the principle of development
b. Masterplanning and site-specific requirements
c. Impact of the development on heritage assets
d. Impact of the development on the wider landscape and visual setting
e. Impact of the local highway network, access and parking
f. Environmental considerations
g. Planning Obligations
h. Summary and Conclusion

5.2 Policy background and the principle of development

5.2.1 The North Hertfordshire Local Plan 2011-2031 (NHLP) was adopted by the Council in November 2022 after it was found sound following Examination in Public between 2017 and 2022. This planning application was made in 2018, following the submission of the emerging Local Plan to the Planning Inspectorate. Weight was given to the emerging NHLP in consideration of the proposal in its advance stage, and the Applicant had been working with the Council to prepare a suitable Strategic Masterplan for the site in line with emerging policies. As the NHLP is formally adopted and negotiations on the planning application have progressed, Officers are now in a position to present the application and its proposals to Committee.

5.2.2 NHLP Policy SP1 on sustainable development in the district is the backbone for considering proposals. It requires the main role of key settlement, such as Hitchin to be the main focus for new development. Proposals should '*deliver an appropriate mix of homes, jobs and facilities that contribute towards the targets and spirations of this Plan*', '*provide the necessary infrastructure*…', '*protect [the] environment'*, and '*secure any necessary mitigation measures that reduce the impact of development*…'

5.2.3 Policy SP2 identifies a significant housing need in the district which is for '*at least 13,000 new homes'* over the plan period. Hitchin is planned to accommodate around 1,800 in total between this Strategic Housing Site, other smaller site allocations for housing, sites within the existing urban area and any other 'windfall sites'.

5.2.4 The text in Policy SP5 on the Countryside and Green Belt supports the national approach taken to principles for developing in the Green Belt through the NPPF 2021. The supporting text to the policy in the NHLP provides the background to how and why Green Belt boundaries have been altered through the NHLP. It was considered that relevant circumstances exist '*to review the boundaries and enable development to meet locally identified need*s'. Site HT1 at Highover Farm was considered to contribute significantly to the purposes of the Green Belt through the Green Belt Review. However, the Inspector noted the 'unmistakeable and obvious break' between Hitchin and Letchworth of Stotfold Road and the railway line would remain, meaning that the new Green Belt boundary with this application site is defensible in accordance with NPPF 2021 para. 143 on defining boundaries.

5.2.5 The site is allocated as a Strategic Housing Site through Policy SP17: Site HT1 – Highover Farm, Hitchin. The proposed development of up to 700 dwellings and

associated development to create a 'new neighbourhood' is acceptable in principle in line with Policy SP17. The applicant has been working to produce an acceptable 'comprehensive and deliverable Strategic Masterplan' also in accordance with Policies SP17 and SP9. The detailed requirements of these policies will be assessed in the following sections of this report.

5.2.6 Highover Farm farmyard comprises a range of traditional farm buildings, a heavily vegetated area and a paddock. One of the traditional farm buildings is now statutorily listed. The farmyard area described has been excluded from this planning application. The area is about 1.6ha between the development at Armour Rose and the application site. Officers expect that the farmyard will be subject to a separate application for housing development. Although the farmyard is within the site allocation ref HT1, this part of the site will remain accessible from Highover Way and will not prejudice the delivery of the vast majority of this site. A tight boundary has been drawn around the farmyard, so as to maximise the delivery of the rest of the site. This is a proportionate and appropriate course of action given the recent listing of a farm building. Therefore, due to these specific characteristics and constraints of the farmyard, this is excluded and will be subject to separate proposals.

Conclusions on policy background and the principle of development:

5.2.7 The Local Plan is now adopted by the Council. The site has been removed from the Green Belt and is an allocated Strategic Housing Site for approximately 700 homes. The site is the largest around Hitchin and the first Strategic Housing Site allocated through the NHLP to be considered. The site will make a significant contribution to the delivery of homes in North Hertfordshire for the rest of the Plan period and benefits from a strong defensible boundary to the Green Belt. The principle of development for this Strategic Housing Site is therefore acceptable in accordance with NHLP Policies SP1, SP2 and SP5.

5.3 **Masterplanning and site-specific requirements**

5.3.1 NHLP Policy SP9 allows for masterplans to be agreed "…prior to **or as part of** the grant of planning permission" (emphasis added). This application was submitted in 2018, prior to the introduction of the detailed Policy SP9 masterplanning requirements through the Local Plan Examination. The applicant has therefore worked with the Council to address its requirements as part of the application.

5.3.2 The Council's accompanying Policy SP9 Approval Process procedural guidance, at para.1.21-1.25, sets out how masterplans can be approved by virtue of granting planning permission through an application:

> *'1.22 The Strategic Masterplan in these instances will be part of the planning application approval documentation and/or planning conditions and subject to formal assessment by the nominated case officer informed by responses from other local authority officers, statutory consultees, stakeholders and the community to inform their professional recommendation to Planning Control Committee.*
> *'1.23 In this respect formal 'agreement' will be achieved through any positive decision by Planning Control Committee on any relevant application(s). This will require the case officer to assess any material submitted to inform their professional recommendation (in terms of meeting the requirements of SP9 and the masterplan documentation requested).'*

5.3.3 Para 1.25 of the guidance states that Strategic Masterplans that will be approved as part of the grant of planning permission will be presented to the [Strategic Planning

Project] Board for information and on an advisory basis only. The draft masterplan was presented to the Board in January 2022, prior to the full public re-consultation on the masterplan document and associated revised plans through the application. The Board have been kept updated on progress with the application since this point.

5.3.4 Policy SP17 is the site-specific policy for site HT1. Policy SP17 with its site-specific requirements need to be read alongside Policy SP9 on Masterplanning. The Strategic Masterplan (SMP) has been assessed under Policy SP17 on Highover Farm as follows:

5.3.5 A principal requirement is that there is a '*comprehensive and deliverable Strategic Masterplan for the entire allocation and agreed between the developer and the Council'*. This planning application is for outline permission and comprises the SMP that meets this requirement. Applications for reserved matters will follow to build on the foundations of this strategic masterplan. Conditions to this permission would also build on the framework agreed through this application. As per Policy SP17 all subsequent applications will be assessed against this SMP.

5.3.6 The site is allocated for '*a new neighbourhood of approximately 700 homes'*. This planning application is for development of 'up to 700 homes'. This will be made up through phases of development with a policy compliant mix and tenure secured through a Section 106 legal agreement. This will be examined in more detail later in the report.

a) Neighbourhood-level retail facilities providing approximately 500m2 (net) of retail and food and beverage floorspace;

The SMP includes a mixed-use area located on The Avenue, which runs from High Dane to Stotfold Road for 'neighbourhood level facilities'. It is envisaged that this mixed-use area would provide a central location for retail, also located to form a community hub next to the new school, play area, park and allotments.

b) Principal access from Stotfold Road with provision for sustainable modes of transport and comprehensive integration into the existing pedestrian and cycle, public transport and road networks;

A new roundabout will be provided on Stotfold Road as the principal access to the site. There will also be limited access from High Dane and no through access except for buses and emergency vehicles. There will be pedestrian and cycle access from Stotfold Road with a new footpath to link the site up with existing footpaths, and from High Dane. There will be foot and cycle access only from the end of Highover Way and Armour Rise. Financial contributions will be made to support public transport through the site as well as a new link from the site across Stotfold Road with a new pedestrian crossing to the Letchworth Greenway. These elements will be elaborated on and examined in a later section of this report.

c) At least 7 serviced plots for self-build development;

The proposals include 7 serviced plots for self-build development, also in accordance with the Developer Contributions SPD adopted by the Council in January 2023.

d) Approximately two hectares of land reserved for provision of a new primary school;

A new 2 form entry primary school can be accommodated on site with early years provision within an allocated area of 2.25ha. The developer will contribute about 75%

of the cost of building the school as well as providing the land to the County Council to deliver the school as Local Education Authority. The remainder of the costs of building the school will be sought from other developers of site allocations around Hitchin. Contributions are also to be made towards childcare services, that is early years provision, which could be delivered on the school site, or elsewhere in Hitchin or nearby to serve the development. This is all agreed in consultation with the County Council. Financial contributions will also be made towards secondary school education, SEND, library and youth facilities.

Officers have proposed a condition for a 'design code' for the site. The condition and ultimately the design code itself will be drawn up and consulted on in conjunction with the County Council to ensure that the development is well coordinated between the various land uses and stakeholders, in particular the school.

e) *Appropriate separation distances from the adjoining railway embankment to safeguard residential amenity;*

As the road from High Dane will follow through into the site there could be some new dwellings continuing the existing building lines of High Dane. The rear elevations currently sit around 50-55m away from the railway line. The remainder of the development shown on the illustrative layout in the SMP would be further away. A natural buffer has been incorporated into the layout, using allotments, school fields, drainage features to create a green barrier to the railway line. The Environmental Health Officer for noise has also recommended conditions to safeguard the issue of noise to future residents. This will be examined in more detail later in this report.

f) *Lower density development and / or green infrastructure provision as informed by detailed landscape assessments at the north of the site to:*
   i. *maintain appropriate visual and physical separation between Hitchin and Letchworth Garden City;*
   ii. *address surface water flood risk; and*
   iii. *respect the setting of the scheduled burrows to the north-east;*

As per the SMP higher density development (up to 40dph) will focused on a roughly central position of the site, along The Avenue. Density would be reduced to the outer edges of the site and particularly to the north. This will create a softer edge to the development with the gap between Hitchin and Letchworth, enable space for biodiversity and sustainable drainage features in the most suitable position on the site, and respect the setting of the scheduled burrows.

g) *Sensitive consideration of other designated and non-designated heritage assets at Highover Farm including the Grade II listed Threshing Barn;*

The farmyard is not included in this planning application for the SMP for the site due to its historic sensitivity and its recent designation. The site area included in the SMP is sufficient to meet the housing requirements in Policy SP17 and should the farmyard part come forward for development in the future its contribution would be limited but still within the allocation for '*approximately 700 homes*'. The farmyard could potentially come forward for development in the future separate to this application.

To respect the setting of the listed building and any non-designated heritage assets, an area of green space adjacent would be retained, termed 'Threshing Barn Green' on the illustrative plans. This green would also incorporate foot and cycle links from the end of Highover Way (including access to Highover Cottages) to the application site, and access would also be retained for the farmyard itself. Within the scope of this application, this green space will be retained to protect the setting of the listed building,

buildings would be set back and the footpath through reflects the position of an existing agricultural track alongside the farmyard. The height of the development facing the farmyard would be limited to two-storey and at a moderate density, further respecting the setting of the listed barn.

The Conservation Officer recognises the 'less than substantial harm' that the proposed development would have on the listed barn, which would be outweighed by 'significant public benefits overall' in accordance with NHLP Policy HE1 and NPPF para 202. This is discussed in full detail in section 5.4 of this report.

h) Undertake Contaminated Land Preliminary Risk Assessment, particularly relating to current and historic agricultural use; and

A Phase 1 or preliminary risk assessment for contaminated land has been undertaken for the site and a condition to the approval of this application would ensure Phase 2 investigations take place as well as any necessary remedial work.

i) Undertake ecological appraisal in relation to Stotfold Road Verges and Hitchin Railway Banks Wildlife Sites.

The Ecological Assessment undertaken assessed the application site and wildlife sites. Biodiversity Net Gain (BNG) and detailed matters will be discussed later in this report.

5.3.7 The proposals therefore comply with all requirements of Policy SP17.

5.3.8 Comments on the application by the Principal Strategic Planning and Implementation Officer are available in Appendix 1 of this report. The application has been assessed under Policy SP9 on masterplanning as follows:

a) Support new development where it is well designed and located and responds positively to its local context;

The site is located on the edge of Hitchin, one of the main settlements in North Hertfordshire. The site is well located to the selection of services and facilities in the town. Effort has been made to link the site to the existing road network to encourage sustainable modes of transport. The proposals are supported by the SMP as well as a design and access statement. Both provide a framework on which the development will be based. The built development at Highover Farm will link in, but respect existing development by including green spaces, buffers and lower densities around the perimeter of the site. Officers consider that through the process of producing these frameworks there is a good basis for the next stages of the planning process.

b) Require Strategic Masterplans to be produced for Strategic Housing Sites and other significant development. Significant development generally comprises residential development of 100 dwellings or more. Exceptionally, developments under 100 dwellings will be considered significant if there are site specific complexities and sensitives that require a masterplan-led approach. In some circumstances a Strategic Masterplan may also be required to consider the cumulative impact of more than one site to support a co-ordinated and integrated approach to place-making and design.

The SMP has been produced for this site. Site HT1 Highover farm is by far the largest site allocation around Hitchin. There are six other allocated sites, which in total comprise just 40% of the number of units proposed for HT1. The delivery of these units, although not coordinated will inevitably be naturally phased and their locations will not directly impact on one another. The developer of HT1 has committed to

financial contributions through the s106 towards various services and infrastructure to mitigate any negative impacts.

With particular regard to transport and cumulative impacts on the highway network, general traffic modelling was undertaken for the preparation of the NHLP, and a transport assessment was undertaken as part of this planning application which took into account the cumulative effects of other developments. The Inspector, in his report on the NHLP, considered the 'localised' traffic situation and reasoned that the improvements to the junction of Cambridge Road with Woolgrove Road and Willian Road with an optimised signal system would be an appropriate response to dealing with the increase in traffic as a result of the development at HT1.

There has been several public consultations on this planning application including with statutory consultees. The SMP has been amended to take account of all comments. Officers conclude that the SMP creates a coordinated and integrated approach to place-making.

c) *Require Strategic Masterplans and planning applications for Strategic Housing Sites and significant development to (as applicable):*

i. *create buildings, spaces and streets which positively reflect and respond to the local landscape, townscape and historic character*

The SMP sets out a range of 'framework' plans that layer various aspects of the development to provide the fundamental elements first. The urban design framework, together with green spaces, height and density, land use, biodiversity and landscape, and character area frameworks all build a picture of how all those elements of the development will work together, how it could look, and realistically can be delivered. The framework plans take into account the local area and what is existing on the site such as hedgerows. Equally the site will have a character of its own, in order to make the most efficient use of the land for housing and providing required infrastructure, the design of buildings will have its own sense of place in order for a new neighbourhood and community to form. The developer has provided a 'design and access' statement which provides a basis again for a 'design code' to be developed. This will be the subject of a condition from which applications for reserved matters will be based.

ii. *create integrated, accessible and sustainable transport systems with walking, cycling and public transport designed to be the most attractive forms of transport and effectively linking into the surrounding areas;*
iii. *provide a clear structure and hierarchy of pedestrian friendly streets and well-connected footpaths and cycleways integrate with the wider built and natural environment and communities;*
iv. *plan for integrated and mixed-use communities with walkable locally accessible community, employment and retail facilities;*

The 'movement' framework together with the 'urban design' framework in the SMP provide a clear spatial strategy for how people will use the site. It sets out a walkable new community that is easy to navigate, safe and secure through a permeable and connected street network and a network of footpaths that provides edge to edge connectivity, prioritises walking, cycling and public transport and effectively links into the surrounding areas. This will encourage physical activity and pedestrian and cycle movements both within the site and to key destinations in Hitchin and Letchworth.

The 'primary route' known as The Avenue through the middle of the site, from Stotfold Road linking with High Dane, although there will be access to a limited number of

properties from High Dane and through access restricted to buses and emergency vehicles only using bollards.

There will be permeability into the existing urban area into High Dane, Highover Way, Armour Rise, Collison Close and onto Stotfold Road. There will also be a new pedestrian crossing on Stotfold Road and link to the Letchworth Greenway (see application 22/00303/FP), creating a shorter route for cyclists and pedestrians into Letchworth. The site will be well connected, and The Avenue will be delivered before any housing as identified in the Phasing and Delivery Parameter Plan, meaning that this main route for pedestrians and cyclists to the railway station and town centre will be in place on first occupation, as well as the main vehicular access.

In addition, the developer will contribute financially towards the diversion of the local bus service, as well as the provision of a set of free bus passes to all new occupants of the development.

The site benefits from a centrally located 'mixed use' area to provide retail or other commercial floorspace at ground floor level. This will be in a central area with the school, playground, main park and allotments, creating a local and walkable hub to the development. The street and public realm area around the school will be designed to reduce traffic speeds and to facilitate pedestrian crossing to Highover Park through material specification and raised table designs.

v. *positively integrate with adjacent rural and urban communities and positively contribute to their character and the way the area functions, including addressing cumulative, cross boundary planning and infrastructure matters;*

The site at Highover Farm will very much be part of the urban area of Hitchin. The two boundaries of the site with the Green Belt benefit from an existing road and railway line, which are strong boundaries preventing further urban sprawl or blurred lines. Officers do not consider that this site necessarily requires the integration of the site with adjacent rural communities because of the strong boundary. The proposals have however included uses such as sustainable drainage, landscaping, allotments and school grounds to back onto the boundary, which also protects from noise and works with natural drainage patterns. The site will be integrated to The Greenway extension, subject of application ref. 22/00303/FP.

This site also does not give rise to cross boundary planning matters due to its location in Hitchin, far from neighbouring authorities boundaries. The proposals have considered cumulative effects of development, also in the context of the NHLP. Regarding infrastructure matters, the developer is contributing land and financially to mitigate adverse impacts. These are set out in table 5.8.4 of this report.

vi. *create and accessible multi-functional green infrastructure network that provides:*
- *a key structuring and functional place-making feature supporting healthy lifestyles, sport, play and recreation linking into the wider Green Infrastructure Network; and a high-quality integrated network to support ecological connectivity, biodiversity net gain, climate adaptation and mitigation linking into the wider Ecological Network*
- *ensure the effective use of sustainable urban drainage and sustainable water management;*
- *ensure a hierarchy of linked, high quality and attractive public spaces and public realm that is safe, attractive and supports social interaction for all age groups; and*

The framework plans for drainage, biodiversity and landscape as well as green infrastructure set out the hierarchy and overall plan of routes with green spaces and their roles. There will be a main Highover Park with a large playground (NEAP) as a central feature to the development. Hitchin Meadows to the north corner with a small playground. This area will generally be of more natural character and appearance with sustainable drainage features and habitat improvements to support the existing corn bunting population on site.

Threshing Barn Green will provide a buffer to Highover Cottages and the farmyard with a cycle and footpath and landscaping. There will be a second LEAP 'pocket park' within the urban grain, school field and allotments also within the site, together with structural landscaping throughout and around the perimeter of the site. Hedgerows throughout the site of are some biodiversity and landscape value and will be retained and incorporated into the development as shown on the illustrative masterplan.

The key green spaces are linked together by a series of greenways or 'linear parks'. These are areas that will include the protection and enhancement of existing hedgerows and tree belts with additional planting, the incorporation of paths for walking and cycling and new habitat. They will provide an attractive alternative to using streets and bring people closer to nature. They will provide ecological, recreational, landscape and amenity benefits ensuring development is embedded in a green setting appropriate to the countryside edge and setting. They will also provide mitigation from noise from both the railway line and Stotfold Road.

Preferably the Council would adopt the green spaces and maintain them. A financial contribution would be made by the developer to ensure that on adoption of the green spaces sufficient funds are available through the Section 106 agreement to secure the costs for the long-term maintenance of all green spaces. The adopted Developer Contributions SPD (Jan 2023) defines this as at least 20 years, whereas maintenance of biodiversity habitats is for 30 years. Details are set out in table 5.8.4.

vii. design to last with a clear stewardship, management and maintenance strategy.

This is secured through conditions and the s106 agreement. Green space, in the first instance will be provided to the Council for ongoing management together with financial contributions for its initial maintenance. The s106 provides a fallback position for a management company should the council not be able to adopt the green space, although it is the council's preference to manage all green space. The land allocated for a new school and most of the build costs will be passed to the County Council to design, build and run the primary school and nursery. The main roads will be adopted by the County Council as Highway Authority.

A condition has been included for a site wide phasing and delivery plan for the development. Whilst a framework phasing plan is provided in the SMP more detail is required before any application for reserved matters can be determined. Further details will be worked up through applications for reserved matters and conditions to this outline application.

d) Ensure Strategic Masterplans are informed by a technical and design evidence base and include the following for Strategic Housing Sites and where applicable for other significant development:

i. site specific vision and place-making principles

Set out in para 2.2.2 of the SMP '*the vision for the site is to deliver a sustainable northern extension to Hitchin planned around traditional garden village principles comprising a new centrally located Highover Park, new primary school and community*

hub and set within an extensive network of green spaces connected by attractive greenways and tree-lined streets to support health, well-being and wildlife and provide an attractive landscape setting to the new development.'

The SMP includes objectives which are site specific, these are: a community heart, a walkable community, with landscape led design, distinctive building design, and working towards zero carbon.

Sustainable development is the overarching theme of the NPPF 2021 para 8 and is reflected in the vision for the site. The objectives accord with the principle of Policy SP9 and Policy SP17. Reflecting these, the SMP uses existing landscape features on which to base the masterplan. The development will be of a scale to support some of its own infrastructure, such a commercial floorspace, the school and allotments. Other services and infrastructure require a larger population, so in this case financial contributions will be made through the s106 towards

ii. Masterplan setting out the quantum, scale, type, mix and distribution of land uses, housing and community facilities;

The SMP sets out the proposed development, in particular:

- Housing:
  - The site will provide up to 700 homes, of which 40% will be affordable. The mix and tenure is policy compliant where of the 40% units that will be affordable, 35% will be 'affordable intermediate' comprising 98 units based on 700 units and 65% will be 'affordable rent comprising 182 units based on 700 units.
  - There will be 7 plots for self-build, which is compliant with Policy SP!7 requiring at least 7 plots to be for self-build.
  - Across the site and based on 700 units, there will indicatively be 54x 1 bed flats (8%), 60x 2 bed flats (8.5%), 154x 2 bed houses (22%), 243x 3 bed houses (35%), 168x 4 bed houses (24%), and 21x 5 bed houses (3%). The mix of units within the affordable sections meet the identified need for those units. Further detail on mix and tenure is provided in table 5.8.4. The mix and tenures could change should the total number on units alter below 700 units across the site, but the proportions will remain broadly the same, with only minor variation where reserved matters do not allow for the envisioned mix. The detail of this will also come out through the detail of the condition for the phasing and delivery plan.
  - The proposed housing in the SMP is NHDC Policy HS2 compliant and is secured through the Section 106. Each phase of development through individual applications for reserved matters will be subject to these mixes and tenures.

- Community facilities:
  - The site is providing the land and financial contributions to a new primary school with playing field – to provide a 2 FE primary school with nursery, children from this housing development will take approx. 75% of this school. The remainder will provide capacity to the rest of Hitchin. The school provides a central point to the application site and secured through the s106.
  - Parks and green spaces are provided in accordance with the scale of development. The SMP sets out the minimum areas required for the parks together with a NEAP and two LEAPS.
  - Allotments will be delivered and managed by the Council, where it is anticipated that rental income will cover the costs of maintaining the site.

- Other land uses:

- A commercial hub is included comprising 500 sq.m of Class E floorspace at ground floor level all based in a central position on The Avenue. The applicant has applied for a mix of (former) use classes A1, A2, A3, A4 and A5. Class E covers a range of uses and the flexibility ensures this floorspace can be market led to a certain extent and subject to subsequent applications for reserved matters at a later date. Former use classes A4 and A5 are now Sui Generis though and therefore not considered suitable for giving express permission unit more detail is known. Classes E (a/b/c) will therefore be reflected in a condition. The quantum, scale, type and mix is considered to be proportionate to the scale of development.

iii. Green Infrastructure Framework identifying the scale, distribution, type and design of green spaces, biodiversity net gain, strategic drainage and on and off-site linkages:

As identified above parks and green spaces are provided through the SMP. This is broken down as follows:

Green Spaces:

1. Hitchin Meadows 5.7ha – includes compensatory farmland bird habitat, rural character fencing, enhancing existing hedgerow, species rich semi-natural grassland and rough grassland, creates a semi-rural character edge to the development, series of foot and cycle paths for access to the parkland, sustainable drainage integrated into the park layout, provision of a LEAP at 400 sq.m within this area to be designed with natural materials.
2. Highover Park 1.8ha – includes a NEAP comprising 1100sq.m, existing hedgerow boundaries to be retained and enhanced, species rich semi-natural grassland and rough grassland, links to the new public square area and surrounding housing and existing pond to be retained.
3. Pocket Park LEAP 0.16ha – to be the focus to one of the development parcels and connected into the wider green infrastructure network.
4. Threshing Barn Green 0.67ha – green setting to the listed building, species rich grassland and retention and enhancement of surrounding hedgerow, provision of continuous green space linking with Highover Park

Greenways:

5. Icknield Linear Greenway – provision of a park and footpath alongside the railway line to create a buffer to the housing and link parts of the development site to Hitchin Meadows. Sustainable urban drainage features will be included to create landscape features and opportunity for informal play, species rich grassland and structural landscaping of native trees and shrubs. Minimum width for play provision 40m and 25m between rear of the school fields and the railway line.
6. Stotfold Linear Greenway – provision of a green buffer to Stotfold Road, minimum width of 25m with priority habitat hedgerow and trees, and inclusion of foot and cycle paths for linking through to the local foot, cycle and highway networks.
7. Dane Walk – by utilising existing field boundaries and established hedgerow, this buffer will form a green corridor between development parcels. Gaps in the hedgerow will be filled in and new verge areas with wildflowers will be established. The minimum width is 12m, 6m either side of the hedgerow. Dame walk will link in with Highover Park ad the Stotfold Linear Greenway

Off-site:

8. Greenway link between Stotfold Road and the Letchworth Greenway to provide easier direct access between towns and to encourage active travel. This is subject of application ref. 22/00303/FP and financial contributions are secured through the S106

towards the implementation of the Greenway. Letchworth Heritage Foundation is the landowner and will be responsible for future maintenance.

iv. Movement Framework setting out the key access points, strategic highways, street hierarchy and footways and cycleways (on and off site)

The Movement and Access Framework set out in the SMP includes the key vehicular, foot and cycle access points to the site, with a hierarchy of the primary, secondary and 'green' streets. There is a main vehicular access from Stotfold Road with a new roundabout and a limited vehicular access from High Dane to serve circa135 dwellings only. There will be a main street through the site known as The Avenue and from which the secondary streets and then green streets will be located. The detail of the secondary and green streets will be subject to subsequent applications. The Avenue is fixed and will be the first piece of infrastructure to be delivered. The school and community hub will be accessed from main Stotfold Road access point. Foot, cycle and bus access will be throughout the length of The Avenue primary route.

There will be foot and cycle access only from Highover Way, Armour Rise and Collison Close. The new Greenway link subject to application ref. 22/00303/FP will link the site with Letchworth and be accessed by a new toucan crossing on Stotfold Road. The existing footpath to the west of Stotfold Road will be extended into the site and form part of the above Stotfold Linear Greenway. The developer will has committed to these costs and/or actions through the S106.

v. Urban Design Framework and design principles identifying how the site responds to local character and context and key structuring elements and layout principles including heights and densities)

The applicant has prepared a Design and Access Statement, most of which also forms part of the SMP, which sets out key considerations (designations, topography, access, land uses, open spaces, key views, landscape character, trees, ecology and water). There are framework plans for each of these elements with constraints and opportunities arising from each. The plans that make up these layers are presented in the SMP and form the basis for the thinking around 'what makes a great neighbourhood'. These principles are applied to the application site, and in defining what the five character areas for the site will look like.

These are the agreed areas and their characteristics:

1. **Highover Green** – To include the primary school, neighbourhood facilities, public realm and Highover Park. The key community elements to the site have been located closely together, in a central position and in order to provide a buffer to the railway line. Taller buildings up to 3-storey would be acceptable. The frontages of these building would be used to frame the public realm 'village square' with the main access The Avenue through the middle, as well as the bus, foot and cycle routes. There would be street trees and linkage to Highover Park which should be the focal point with the sites main play area. The existing pond would be retained and new tree planting around the perimeter of the park.

2. **The Avenue** – The area around the main spine road through the site, 'The Avenue'. It is presented as 'a formal green street' and the road from which other areas will be accessed from. The land uses would mainly comprise housing, although allotments are also included in this area. Based on developable areas and building heights, density would range between 35-40 dpha with the higher densities on the central local facilities towards Highover Green. The street structure would reflect examples of roads in Letchworth for example Willian Way, where buildings are set back 2-6m from the edge

of the street with space for grass verge and street trees. Building height would generally be between 2 and 2.5 storeys, with some 3 storeys on corners and junctions, with different materials and/or roof slopes to create variation and interest. Focal buildings can also be used to define a frontage or create a gateway. Variation of different types of parking can be used, depending on the house type and to restrict the level of on street parking. Front gardens, footpaths and cycle lanes will be included as well as a palette of materials to define spaces.

3. **Grovelands** – This is the area to the south of The Avenue up against the existing urban edge of Hitchin (Grovelands Avenue, Collison Close and Roundwood Close). Overall the density will be between 25 and 35 dpha reflecting the density of existing built up areas adjacent. There would be a lower to higher density from east to west respectively in order to respect the rural setting between Hitchin and Letchworth and frame Highover Park to the west. Building heights would be 2 to 2.5 storeys around secondary streets and green streets. The structure will be formal, using grid patterns with frontage setbacks of 1-3m from the street with smaller front gardens compared to The Avenue. The pocket park will be within this character area, set out as a formal park/garden, strongly enclosed by building frontages. There will be a key green foot/cycle link from Stotfold Road through to Highover Park with medium-large street trees. Most car parking should be on plot.

4. **Meadow View** – This is the triangular area to the north of The Avenue, with boundaries with the railway line and Stotfold Road and countryside beyond. A significant portion of the northern point of the triangle will be for sustainable drainage, corn bunting habitat and landscaping. There will be a play area and footpaths through. The density again will be low around 25-35 dpha and buildings between 2 and 2.5 storeys with some 3 storeys on corner and junctions. The building layout will be informal though, typically detached and semi-detached properties with on plot parking with driveways and front gardens. Buildings would be set back 6m from the street with a green character comprising street trees and evergreen hedging. Along the northern edges of development buildings will look out towards the parkland to create a safe and overlooked space, as well as a 'soft' edge of the development to the countryside beyond. There will be substantial new planting between the parkland and the edge of the railway line and to bolster existing landscaping along Stotfold Road.

5. **Threshing Barn Green** – This is a small area of housing adjacent to the listed barn and farmyard of Highover Farm. The area includes the green space at the end of Highover Way and area of housing to the south of The Avenue and to the west of Highover park. This will be low density of between 25-35 dpha and limited to 2 storeys only. This area will be informally arranged to take into account views from the barn, as the topography here is pronounced compared to existing built-up areas adjacent, and to maximise permeability between Highover Way and The Avenue. There will be a green informal character about the area with good setbacks of 2-6m from building frontages to the street. Dwellings will be in the form of short terraces and semi-detached buildings, with on plot parking and front gardens.

vi. Sustainability & Energy Framework identifying site-wide and building scale opportunities for low and zero carbon

Section 9 of the Design and Access Statement considers integrating sustainable design principles into the SMP through governance, social and economic well-being, resources and energy and land use and ecology. Due to the outline stage of proposals the detailed considerations of renewable energy, carbon emissions and water conservation can be address through conditions and applications for reserved matters. Two conditions are proposed, the first on the design code for the site which includes

elements of energy efficiency, and another condition for a 'site wide sustainability strategy' in accordance with Policy SP9 and D1 (Sustainable Design) of the NHLP.

vii. Illustrative Masterplan Layout

An illustrative layout is included in Section 5 of the SMP which indicates how a well-designed layout could be delivered through the application of the masterplan framework plans and design principles. This will assist in the preparation of the site-wide design code and subsequent reserved matters.

viii. Infrastructure Delivery, Phasing & Management Strategy

Section 7 on Phasing and Delivery in the SMP sets out how the applicant envisages the site will be delivered. There are five main principles, in summary:

1. to use existing infrastructure to minimise disruption from construction;
2. to encourage new residents to adopt more sustainable modes of transport from the outset by constructing The Avenue first;
3. to start development around a central community hub, close to the primary school;
4. advanced structural landscaping, shrub and tree planting to enable early establishment of green infrastructure; and
5. delivery of a mix of housing type and tenure within each phase.

The overall phasing strategy has been prepared on the basis that The Avenue will be constructed first together with enabling infrastructure such as drainage, and the land for the school will be passed over to the County Council. There will then be at least two phases to building the main development: the first relating to housing development along The Avenue as shown in pink on the indicative phasing plan; and the second to be the areas of housing both to the north and the south of The Avenue.

A condition is recommended to secure a 'site wide phasing and delivery plan' to secure the detailed arrangements for phasing delivery as well as a construction management plan. This condition is pre commencement and could run alongside the first application for reserved matters once more details are in place.

Various aspects of management and maintenance will also be secured by condition and through S106 obligations including arrangements for green space, public realm, highways and the school site. The delivery of the school site will be the responsibility of the county council and officers are working closely with the HCC GIU to agree appropriate parameters for delivery.

The delivery process is also set out in Section 7, which sets out how each stage of the planning process can deliver various aspects in a logical order.

e) Encourage the submission of Strategic Masterplans for the Council's consideration and agreement before the submission of a planning application. We will also confirm the scope and contents of individual Strategic Masterplans with applicants in pre-application discussions. Planning applications must be accompanied by a Strategic Masterplan. Where applications have already been submitted to the Council a Strategic Masterplan should be agreed with the Council prior to or as part of the grant of planning permission. Adherence to the Strategic Masterplan will be secured through planning conditions and/or legal agreement.

Policy SP9 encourages the submission of Strategic Masterplans for the Council's consideration and agreement in advance of the submission of a planning application. However, the application was submitted before the policy provisions and requirements of SP9 were introduced as part of the proposed modifications to the local plan and the

Council. As such this was not possible. From March 2021 onwards when the Council started applying weight to the emerging SP9 policy the applicant has positively engaged with the Council to both confirm the scope and contents of a Strategic Masterplan and worked collaboratively with the Council to agree a Strategic Masterplan. This confirms the SP9 policy requirement which states: '*where applications have already been submitted to the Council a Strategic Masterplan should be agreed prior to the or as part of the planning permission*.'

The applicant was willing to work with the Council over the last 4-5 years to ensure there is a policy compliant Strategic Masterplan, so that applications for detailed reserved matters can be determined within the broader Masterplan. Officers are content that this application for outline planning permission satisfies this requirement.

f) Assess proposals against detailed policy requirements set out in this Plan and have regard to the Design SPD; and

See subsequent sections of this report looking at detailed policy requirements.

g) Adopt the Government's additional technical standards for the size of new homes, water efficiency and, in specified circumstances, accessibility.

Given the Illustrative Masterplan, Officers are satisfied that with the development blocks and densities proposed the Government's technical standards for new homes is achievable. Should planning permission be granted, building regulations will ensure water efficiency for all new development. The S106 also includes requirements for 10% of affordable housing to be wheelchair accessible, which will be reviewed as part of each phase of development that will be subject of applications for reserved matters.

Conclusions on Masterplanning

5.3.9 As this site and the proposed development has been through the formal, collaborative masterplanning exercise with extensive negotiations and improvements over the last 5 years, it is officers' view that the proposals represent a high standard of urban design, in keeping with its context and which would include high quality green infrastructure and multi-functional green spaces. As such, it is considered that an effective masterplan has been secured which would comply with Policy SP9 and SP17.

5.4 Impact of the development on heritage assets

5.4.1 The Threshing Barn at Highover Farm was Grade II listed in May 2018 for its architectural interest as a '*well-preserved example of a late-C16 or early-C17 timber-framed threshing barn; for the legibility of the original plan form of the threshing barn; for the survival of a high proportion of the original queen-post roof structure, timber-framing, and flint and brick wall construction*'. Its historic interest is '*as a key surviving example of English architectural and tenurial practice, exhibiting the agricultural prosperity of Highover Farm in the late C16 or early C17*'.

5.4.2 There are no other listed buildings or Conservation Areas affected by the proposed development. The farmyard had previously been part of the site allocation HT1 for 700 new homes, however since the listing of the Threshing Barn this application for outline planning permission has removed the farmyard from the application site as well as the heavily vegetated green space including a pond to the north-east. This pond is referenced in the listing of the Barn, and there is a second pond also included within the application site.

5.4.3 The NPPF 2021 requires the description of '*the significance of any heritage assets affected, including any contribution made by their setting'.* LPAs should then *'identify and assess the particular significance of any heritage asset that may be affected by ta proposal (including by development affecting the setting of a heritage asset) …'* Para. 199 of the NPPF states that *'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'.* This approach is reflected in NHLP Policy HE1 on Designated Heritage Assets.

5.4.4 The historic fabric of the Threshing Barn is not subject of this planning application, but much of the significance of the building is in the historic fabric and the importance of architectural features of the Threshing Barn. The setting of this Grade II listed building is another key consideration. The historic interest in the setting of the Threshing Barn is the agrarian character of Highover Farm, which at present is defined by the fields and meadows located on the western, northern and eastern sides of the farmyard, as well as the farmyard itself with the Threshing Barn.

5.4.5 The character of the setting to the Threshing Barn will be impacted in that the agrarian character of the fields will change from agricultural to housing led development. During the course of this application, the applicant has revised the layout of the site to accommodate a park termed Threshing Barn Green, which will provide a good buffer of green space and landscaping to the northern boundary of the farmyard. This green space will also provide pedestrian and cycle access through from Highover Way. Views of the Barn will be maintained from a wide degree and the quality of housing development closest can be designed to take into account the sensitive character of the area due to the listed building.

5.4.6 The layout of the farmyard will not change as a result of this application and there are no proposals as part of this application for the listed building itself. However, the wider agrarian setting of the listed building would be affected by the proposal. As such the heritage significance of the listed building would be harmed. Officers consider that the impact related to the wider setting of the listed barn the harm to heritage significance of the building would be within the moderate to lower end of the spectrum of less than substantial harm.

5.4.7 Given the less than substantial harm to a designated heritage asset, the NPPF para. 202 requires that '*this harm should be weighed against the public benefits of the proposal*…' NHLP Policy HE1 reflects this position in point c). This application is for up to 700 new homes to be delivered on an allocated Strategic Housing Site (Policy SP17 ref. HT1) through the recently adopted Local Plan. The public benefit is the delivery of a significant number of new homes, to be delivered with a range of housing mix and tenures. This housing development will significantly contribute to the district's delivery of housing and in particular the 5-year housing land supply as per Policies SP8 and IMR1.

5.4.8 In accordance with the NPPF and NHLP policies the proposals are considered to be compliant regarding the impact on heritage assets. Officers note the 'less than substantial harm' that the proposals will have on the designated heritage asset, but that the public benefits of the delivery of up to 700 new homes which secures the districts housing land supply on an allocated Strategic Housing Site is sufficient to outweigh the harm.

5.5 **Impact on the wider landscape and visual setting**

5.5.1 This is a large-scale housing development. Given its nature and scale there will inevitably be impact on the landscape. Within the context, national and development plan policies adopt an approach where development should only be approved where the harm would be outweighed by the benefits of the development.

Landscape Character

5.5.2 NPPG Para 174 indicates that the intrinsic character and beauty of the countryside should be recognised. The NPPF does not seek to protect the countryside for its own sake from development, rather it concentrates on seeking to protect valued landscapes. The site does not form part of any designated landscape.

5.5.3 The NPPF does not define what is a valued landscape, albeit most landscapes are valued in one form or another, but case law demonstrates that value lies in it being considered more than just open countryside. Residents have indicated that they value the countryside within an around the application site, however there is nothing in the comments that would result in elevating the application site to that of a NPPF 'valued landscape'.

5.5.4 NHLP Policy NE2 confirms that planning permission will be granted for development proposals that respect the sensitivities of the relevant landscape character, do not cause unacceptable harm to the character and appearance of the surrounding area or the landscape character area in which the site is located, taking account of any suitable mitigation measures necessary to achieve this, ensure the health and future retention of important landscape features and have considered the long-term management and maintenance of any existing and proposed landscaping.

Landscape Character Assessment

5.5.5 The application site is located in the far eastern end of National Character Area (NCA) 110 for The Chilterns, with NCA87 for East Anglian Chalk on the east side of Stotfold Road. NCA110 The Chilterns is a large area, wider than the designated Area of Outstanding Natural Beauty and comprises extensive wooded and farmed areas, underlain with chalk bedrock that creates the north-west facing escarpments, long views out and small streams that provide a major source of public water supply. NCA87 is described as comprising '*a visually simple and uninterrupted landscape of smooth, rolling chalkland hills with large regular field enclosed by hawthorn hedges, with few trees and expansive views to the north*'.

5.5.6 The Council published the North Herts Landscape Study as part of the Local Development Framework in 2011 which is based on the Hertfordshire Landscape Character Assessment and subsequent sensitivity and capacity work. The site is within Region 3 The East Anglian Chalk, North Hertfordshire Ridge and detailed LCA 216 Arlesey-Great Wymondley area. The key characteristics of the Arlesey-Great Wymondley LCA are listed as: '*large flat expansive arable landscape in the north; rolling arable landscape of large-scale fields and with relatively few trees in the south; and the core is defined by the urban development of Letchworth and Hitchin'*.

5.5.7 The built development guidelines for the character area LCA 216 include:

- *'Encourage planting of appropriate broadleaved woodland and vegetation to screen any new development that could intrude in panoramic rural views;*
- *'Ensure new development doesn't necessitate the removal of existing woodland blocks or hedgerows;*

- *'Ensure new development provides mitigation for itself and where possible existing intrusive features in the vicinity;*
- *'Ensure lighting associated with new development doesn't create additional urbanising influences; and*
- *'Use the opportunity of new development to create new accessible green infrastructure.'*

Review of the submitted Landscape and Visual Impact Assessment (LVIA)

5.5.8 The application is accompanied by a LVIA in the 'Landscape/Visual' section in the Environmental Statement, prepared by Rapleys LLP, which identifies the landscape and visual effects of the proposed development. In applying a standard methodology and professional judgement the LVIA sets out conclusions.

5.5.9 The LVIA identifies the sensitivity/value of landscape elements, landscape character and visual receptors, the magnitude of impact on each of these assessed, and then the significance of these impacts were evaluated.

5.5.10 The LVIA undertakes an assessment of visual and landscape effects during the construction phase, and operational phase. It proposed no further mitigation measures over and above those set out in the design of the proposed development.

5.5.11 The identified residual effects and conclusion in the LVIA indicate that there would be moderate to low impacts on landscape, character and visual elements which would be '*lessened through the preservation of existing vegetation on the site and the provision of new mitigation and enhancement planting… Overall, the development will be visible from a few viewpoints in the immediate area but will be partly screened and softened by planting'*.

5.5.12 The LVIA also comments on the gap between Hitchin and Letchworth, which will be diminished in extent, although a good buffer will remain. It notes that although the character of the landscape will change as a result of the development most views from footpaths will only be slightly negatively affected and over time a well-planned urban extension to Hitchin will blend into the rest of the town in time.

5.5.13 The Council's Landscape and urban Design Officer at the time commented on the application. The area LCA 216 is overall considered to be of low sensitivity due to its position with urban influences and '*numerous landscape detractors such as roads and railway lines'.* This is reflected in the application site, which is adjacent to the urban edge of Hitchin and bound between the railway line and Stotfold Road.

5.5.14 In the context of the application site fitting in with the built development guidelines for the local character area, the masterplan for the site includes a good level of structural green space and planting around the perimeter and through the site, which would be integrated into the new highway network to create green streets. The masterplan has sought to retain as much existing hedgerow and landscaping as possible including hedgerow through the centre of the site and the small pond. Some hedgerows will be lost along Stotfold Road to create the new vehicular access, although overall there will be a landscape and biodiversity net gain.

5.5.15 The topography of the site also allows for a multipurpose green space, termed 'Hitchin Meadow' in the far northern corner of the site where the sites level is lowest. This space will be for sustainable drainage, habitat for the existing corn bunting on site, and open green space which can be left for a more natural character. This urban edge here will be less dense and greener in terms of 'green streets', larger gardens, less formal road layout and therefore more semi-rural character.

5.5.16 During the course of the planning application the applicant has agreed to provide a toucan pedestrian crossing over Stotfold Road as well as finance and submit the planning application for an extension to the Letchworth Greenway. The link directly from the application site across the fields to the edge of Letchworth will enhance access to the countryside from the application site, as well as for existing residents on this side of Hitchin.

Conclusion on the impact on wider landscape and visual setting

5.5.17 In conclusion on this matter, it is considered that the site is of low sensitivity due to its urban features and physical infrastructure, but that the proposals would inevitably have some adverse landscape and visual impact. Through a combination of topography, inclusion of existing hedgerows into the masterplan, provision of parks and green space and inclusion of green buffers around the perimeter of the site, it is considered that the adverse effect would be localised and limited as far as possible. The site, which would form an urban extension to Hitchin will sit in context of existing urban development and in time blend into the established urban character. The proposed mitigation would also be beneficial to biodiversity and see significant new landscaping and green spaces provided.

5.5.18 Overall, the proposals are considered to be in accordance with the NPPF and NHLP Policy NE2 on Landscape.

5.6 Impact on the local highway network, access and parking

Impact on local highway network

5.6.1 NHLP Policy SP6 on Sustainable Transport requires, amongst other matters considered later in this report, to '*seek the earliest reasonable opportunity to implement sustainable travel infrastructure on Strategic housing Sites and other development sites in order to influence the behaviour of occupiers or users*…'

5.6.2 The issue of highway capacity is of great concern to many local residents and this issue has been raised in many (if not most) of the objections received on this proposal. It is acknowledged that there are issues of congestion through Hitchin along Cambridge Road (A505) and the junctions it crosses at Stotfold Road roundabout and the Woolgrove Road/Willian Road signalised junction. Typically, congestion is understood to be particularly bad during peak rush hours times in the morning and the evening, when people are travelling to work and during school drop-off and pick-up. This can be worsened if there are traffic issues due to works or an accident on the surrounding road network.

5.6.3 Paragraph 110 of the NPPF states that *'In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that: d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.*' The NPPF also sets a high bar in terms of grounds to refuse an application on highway matters: Para 111 states that *'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'.*

5.6.4 NHLP Policy T1 on Assessment of Transport Matters states that '*Planning permissions will be granted provided that a) development would not lead to highway safety problems or cause unacceptable impacts upon the highway network'.*

5.6.5 This planning application has been submitted with a Transport Assessment (TA), Transport Assessment Addendum (TAA), Travel Plan and ES Section 9 of the Environmental Statement on Transportation.

5.6.6 The proposed site would feature two vehicular access points with a spine road through the site known as The Avenue. The Avenue would provide a vehicular road between Stotfold Road, which would serve the vast majority of the development and comprise a new roundabout; and High Dane which would serve a smaller area of the development. The Transport Assessment assessed the access in the context of c.135 dwellings. The Avenue would be a 'no through' road except for buses and emergency vehicles using retractable bollards. This would be secured by condition and through a S278 highway agreement.

5.6.7 In terms of impact on highway capacity, the vehicular trip rates were sourced from the industry standard TRICS database. The associated peak hour trip rates are indicated in Table 9 of the Transport Assessment (TA). This anticipates that the site would generate a total number of trips (arrivals and departures) in the AM peak travelling period (08:00-09:00) to be 275 and would generate approximately 322 trips during the PM peak travelling period (17:00-18:00).

5.6.8 HCC Highway Officers conclude on highway capacity that they are '*content that the development will not have a severe impact on the local highway network'*, which is reflected in the summary of the TA, which states: '*The development will not have a significant detrimental impact on the local highway network. The majority of the junctions assessed operate within their capacity restraints and with no notable delay increase as a consequence of the development'*. This should be read together with a package of sustainable transport measures, essential to ensuring that the development may be accommodated on the local highway network and demonstrate compliance with LTP4. Therefore, taking account of the lack of a severe impact as well as the package of sustainable transport measures, the residual cumulative impact of the proposals would be acceptable and in accordance with the requirements of the NPPF and NHLP Policy T1.

Access

5.6.9 As noted above, the application site would have two vehicular accesses. One from High Dane serving a limited number of dwellings and would be designed as a continuation of the road with secondary and 'green streets'. The main access from Stotfold Road would serve the remainder of the development (approx. 565 dwellings and the primary school) and would comprise a new roundabout, which has been designed in conjunction with Highway Officers and would be subject of Section 278 agreement. The TA submitted with this application includes detailed plans showing the specification for the two access points and these demonstrate that both would be suitable in terms of highway safety.

5.6.10 Other measures are proposed associated with the new accesses, including a new roundabout on Stotfold Road and a change of speed limit from national speed limit to 30mph to the south of the new roundabout. The procedure for reducing the speed limit has been in progress and in principle has the highway authority's support. The process requires a Traffic Regulation Order (TRO) to be made and should be in place once construction on site has been completed at the latest. Although a condition was

requested, this is not considered to be a suitable process as the district council do not have any control over the TRO process, so this will be secured through the s278 process as well as the triggers for delivery agreed through the condition for a Site Wide Phasing and Delivery Plan.

5.6.11 With regard to pedestrian and cycle access, the site would be well served by linkages through to existing residential areas of Hitchin, the principle of these links are agreed and secured through the S106 but the detail is a reserved matter. There will be pedestrian and cycle links along the main spine road, from Stotfold Road to High Dane, creating the east to west connection. This will provide easy access from the site towards the town centre, railway station and main employment areas including Bury Mead Road and Wilbury Way. The footpath on the west side of Stotfold Road would be extended into the site. A new toucan crossing would be provided across Stotfold Road to link with the extension to the Letchworth Greenway. There will also be foot and cycle access into Highover Way, Armour Rise and Collison Close, which would assist residents is travelling around with ease towards local shops such as on Cambridge Road from across the development site.

5.6.12 It is noted that the connection from the site to Highover Way and Armour Road is simplified as the land required is within the applicant's ownership, however the verge of land at the end of Collison Close is in third party ownership. Representations from local residents make it clear that residents of Collison Close (and Roundwood Close about a potential link there as well) do not support a link in the interested of their amenity, security and potential noise. However, to ensure best possible chances of sustainable transport, permeability and blending the proposed development into existing urban areas a link here is desirable. Balancing the benefits and concerns of this matter together with potential landownership difficulties, Officers have agreed with the applicants the S106 agreement requires the applicant to make reasonable endeavours to install the foot and cycle link here. The highway authority also recommended a condition regarding the delivery of these links with 'phase 3' of the emerging phasing plan, however Officers do not consider that this condition meets the tests for effective conditions (NPPF para.56) and has agreed to include the triggers for delivery through the s106.

5.6.13 In addition to these access features, the applicant has also agreed to contribute financially towards an extension to the Letchworth Greenway, a route around the perimeter of Letchworth Garden City, together with an additional path from the Greenway directly into Highfield School. This will significantly add to the appeal of using sustainable forms of transport to get between the towns and shorten travel distances by foot and bike. It will also increase access to the countryside. The Greenway extension is subject to application ref. 22/00303/FP also considered at this Planning Committee Meeting.

5.6.14 This site can provide the level of housing allocated through Policy SP17 together with the access measures set out above. A key masterplanning requirement in Policy SP17 for Site HT1 supported by Policies SP1 and SP6 is '*to make provision of sustainable modes of transport and comprehensive integration into the existing pedestrian and cycle, public transport and road networks'*.

Parking provision

5.6.15 The NHDC Vehicle Parking at New Developments Supplementary Planning Document ('Parking SPD') sets out the minimum parking requirements for this proposal. This outlines that x1 space is required per 1 bedroom dwelling and that x2 spaces are required for any dwellings of 2 bedrooms or more. In addition, between 0.25 and 0.75

visitors parking spaces are required per dwelling, with '*the higher standard applied where every dwelling in the scheme is to be provided with a garage'.*

5.6.16 On the basis of the proposed housing mix, the proposal of up to 700 units would require a minimum of 1346 private spaces for dwellings (54x 1 bedroom flats, 646x 2+ bedroom properties proposed) and between 175 and 525 visitor parking spaces. This is a reserved matter for future applications to include. Each phase of the development will be required to deliver the proportionate number of spaces for private and visitor use according to the particular mix in that phase.

5.6.17 The illustrative masterplan has shown that parking has been designed into the layout and can be accommodated. The SMP identifies that in order to create a distinctive neighbourhood parking needs to be integrated and designed in different ways across the site and often using innovative design where appropriate.

5.6.18 Some local residents object to the use of parking courts, which can become areas of antisocial behaviour. The development will include some buildings with flats and smaller houses in terraces, and it is inevitable that some communal parking will be required. During the process of determining applications for reserved matters on smaller phases of development this will be examined in detail to ensure that the design and layout of buildings with parking, streets, green spaces are well thought out. For the purpose of this application for outline planning permission and the consideration of the overarching masterplan for that site, the applicant has demonstrated that the parking requirement can be achieved successfully using a range of parking layouts.

5.6.19 In terms of cycle parking and storage, the Parking SPD requires '*1 secure covered space per dwelling. None if garage or secure area provided within curtilage of dwelling'.* To ensure this is complied with and sufficient provision is provided on site, a schedule with details of cycle parking and storage across the site will be required with all applications for reserved matters on the site should planning permission be granted.

5.6.20 In light of the above observations, it is considered that the proposal would include sufficient parking provision, which is in accordance with the requirements of the Parking SPD.

Construction and phasing

5.6.21 Regarding construction of the site, it is anticipated that there would be two additional accesses of Stotfold Road to enable construction during each phase of development. No construction traffic would use High Dane for access. The applicant will require detailed discussion and s278 agreement with the Highway Authority.

5.6.22 As set out in Section 7 of the SMP, The Avenue spine road and the new roundabout will be completed as 'phase 1' before any housing construction starts on site. This will include foot and cycle links between Stotfold Road and High Dane, and the new footpath along Stotfold Road. The first phase of housing (phase 2) will be constructed around The Avenue. The southern and northern sections can be completed thereafter as phase 3, each using a construction access off Stotfold Road. It is anticipated that the construction compound can be moved around the site according to the location of construction at that time. Construction of the school will be self-contained and the responsibility of the County Council who will be the landowner and developer at that time. An indicative phasing plan is included in the SMP which is broad at this stage and a detailed site wide phasing and delivery plan will be the subject of a condition to this application for outline planning permission, to cover all aspects of the development as well as access.

Mitigation measures

5.6.23 Paragraph 110 of the NPPF states that: '*In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that: a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location; b) safe and suitable access to the site can be achieved for all users; c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance…and d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.'*

5.6.24 NHLP Policy T1 also states that '*Planning permission will be granted provided that:…b) mechanisms to secure any necessary sustainable transport measures and / or improvements to the existing highway network are secured in accordance with Policy SP7; and d) for major developments, applicants demonstrate (as far as is practicable) how: i. the proposed scheme would be served by public transport…'*

5.6.25 The existing bus service, number 81 through Hitchin between Westmill and Walsworth areas is hourly six days a week between High Dane and the town centre. The applicant is facilitating the extension of the bus service within the site, providing a place for the bus to divert into, terminate and be able to turn around rather than on Sturgeon's Way. This will be useful for residents to access the town centre and the services and facilities there. The applicant is also financing bus vouchers for all households on the site together with a travel awareness campaign. Each household will receive three months' worth of free bus travel in the form of a voucher booklet, worth £70 per household per month.

5.6.26 The site is between two railway stations: Hitchin 2.3 miles and Letchworth Garden City 2.1 miles, both measured from the Stotfold Road entrance. Both of these are within reasonable cycling distance. Depending on where one begins their journey within the site it could be a 1 mile journey, which is reasonable by foot. The proposed pedestrian and cycle accesses from the site will assist with these shorter travelling distances to Hitchin railway station.

5.6.27 For access to Letchworth Garden City railway station the journey could be made shorter, safer and more pleasant using the new link to the Letchworth Greenway, making it a 1.7 mile journey from the Stotfold Road access. This is further assisted by a new toucan crossing over Stotfold Road south of the new roundabout and located to link easily to the Greenway extension.

5.6.28 The applicant has committed to financial contributions towards projects identified in Hitchin to support sustainable transport. HCCs Local Transport Plan (LTP) 4 include several projects for proposed development to feed into via obligations. Calculated based on the number of dwellings proposed and the estimated number of non-car driver trips, a contribution of £3,382,572 will be secure in the S106. The projects identified that are relevant and necessary include:

- PR41 Cycle facilities at Hitchin station including increased cycle parking
- PR50 Improve pedestrian and cycle infrastructure where the rail lines cross Grove Road and Woolgrove Road
- PR51 Hitchin northern loop bus services work with partners to improve bus service 81
- PR55 Access to new development north of Hitchin – ensure high quality pedestrian and cycle access is provided through new development to the north of Hitchin to

connect with routes to station, industrial estate, town centre and A505 North Hertfordshire Sustainable Spine

- SM39 Eastern Entrance to Rail Station – provide an eastern entrance to the rail station in Hitchin, in order to make walking and cycling from eastern Hitchin more attractive, including safe and well signposted connections to the cycle network and cycle parking Consider improvements to pedestrian connectivity through the station
- SM52 Continuous cycle routes with junction treatments including from Highover Farm site to the rail station, schools and the A505 sustainable spine
- SM59 Continuous cycle route along A505 sustainable spine with new and improved junction/crossing facilities for cyclists
- SM61 Cycle hub at Hitchin rail station including repair facilities, secure parking and cycle hire improvements to the pedestrian access to Hitchin station

5.6.29 A Draft Travel Plan has also been submitted with the application which includes several short, medium and long-term actions to increase the use by residents of sustainable modes of travel and to reduce the use of the private car, both for the residential use on the site and the new primary school. These are to be included via the s106 and monitored by HCC, through a further s106 financial contribution of £6,000 and £10,500 for residential and the school travel respectively. The Highway Authority recommended a condition for a travel plan to be submitted however this is already addressed by the s106. The primary target is to increase the number of residents and visitors cycling, walking and using public transport to and from the development by 2% each.

5.6.30 A further aspect of the proposals is that each dwelling with on-curtilage parking or a garage will be provided with electric vehicle (EV) charging points and 10% of communal parking spaces will also be provide with EV recharging infrastructure. This would accommodate and encourage the use and ownership of more sustainable electric vehicles. It is noted that this is now a required provision of Part S in Building Regulations, which comes into effect in June 2023. A condition is recommended below to go beyond the requirements of Part S.

Conclusions on the local highway network, access and parking

5.6.31 Many of the objections received from local residents refer to the impacts this proposal would have on matters of highway capacity and access. It is acknowledged that there are issues of congestion particularly along Cambridge Road (A505) and various junctions. This is particularly the case during peak rush-hours. However, the HCC Highway Officer has not objected to these proposals, subject to conditions and subject to a package of mitigation measures to be secured via a s106 legal agreement, as outlined above. It is found by the HCC Highway officer that although there would be some increase in traffic arising from the proposed development, this would not have an unacceptable impact on highway safety or result in a residual cumulative impact that would be severe so as to warrant an objection or reason for refusal in accordance with NHLP Policy T1 and the NPPF, together with a package of planning obligations towards sustainable transport.

5.6.32 An initial phasing and construction plan has been reviewed indicating priorities for sustainable travel and for implementing the main spine road and new roundabout to the site before any house building commences. There will be two construction accesses from Stotfold Road and no construction access from High Dane. The first phase of housing will be focused on the spine road and later phases to the south and north of the site.

5.6.33 A range of access points will be provided to the site to create a well-integrated development that encourages patterns of sustainable travel. The Avenue will form the main spine road through the site which will support the diversion of a local bus service. Several access points are proposed for pedestrians and cyclists, as well as an extension to the Letchworth Greenway to the edge of the site with a toucan crossing over Stotfold Road. These measures are secured through the S106 for this application for outline planning permission as well as various conditions such as the condition for the Design Code to ensure consistency, should the application be granted.

5.6.34 The draft s106 and proposed conditions include a commitment to a residential and a school Travel Plan with associated monitoring costs. The Highway Authority have advised that data analysis within the TA together with traffic impact assessments demonstrates that the development proposals will not result in a severe impact on the local highway network, subject to the agreed mitigation works. These are to be delivered through both conditions included at the end of this report and in the Heads of Terms in para. 5.8.4.

5.7 Environmental considerations

Drainage and Flooding

5.7.1 NHLP Policy NE7 on Reducing Flood Risk sets out that a FRA is prepared to support applications for planning permission in accordance with national guidelines, and that development takes account of reducing flood risk, does not increase flood risk elsewhere, minimise residual flood risk, sensitively designed flood prevention and mitigation where applicable, and protection of overland flow routes and functional floodplain. The application is accompanied by a Flood Risk Assessment (FRA) and Drainage Strategy in the ES (by consultants WSP) together with associated technical appendix and Drainage Construction Sequencing Plan.

5.7.2 The site is entirely within EA Flood Zone 1. The River Purwell sits 450m to the south west of the application site. It is acknowledged that a number of concerns have been raised by local residents with regard to surface water and potential increased flood risk from the proposed development.

5.7.3 Having assessed the submitted reports and information, the Lead Local Flood Authority (LLFA) now raises no objection, with concern previously based only on the phasing of the development and implementation of sustainable drainage systems. The technical appendix of the FRA was updated although the LLFA requested that the attenuation volume and discharge for each phase were incorporated onto the plan. Confirmation was sought, and has now been given from the applicant, that the site-wide SUDS scheme is to be delivered before the first phase of development (the construction of the spine road). This is included in principle in the phasing section of the SMP. The site-wide SUDS scheme needs to be capable of accommodating the runoff from each of the subsequent phases of development. Therefore, a condition will be applied, pre-commencement, to agree the SUDS scheme so that it can be implemented before development starts. The alternative would be to have a SUDS scheme for each phase of development, although the full details of the phasing plan for the site will also be subject to a condition. In these circumstances a site-wide SUDS scheme is a logical solution.

5.7.4 The drainage strategy would mimic the existing natural drainage, but utilising attenuation ponds prior to infiltration through an infiltration basin and soakaway since there are no watercourses, rivers and suitable SW sewers within or adjacent to the site. The far north-eastern point of the site is a natural low point and will be the main point

for drainage, which will be a dual purpose area for green space, buffer to the countryside and ecological habitats.

5.7.5 As such, there is no objection from the LLFA, subject to conditions requiring that the drainage strategy be carried out in full and that a management and maintenance plan be provided. Furthermore, Thames Water and Affinity Water have also confirmed that they raise no objections with regard to wastewater, surface water drainage and foul water sewerage infrastructure capacity, and Anglian Water raise no objection subject to a condition relating to phasing and foul drainage.

Ecology

5.7.6 The biodiversity impacts arising from the development of the site have also been considered. The associated features of the land, such as hedgerows are likely to contain at least some features of biodiversity interest and value and are sought to be retained and incorporated into the masterplan as far as possible. A Phase 1 Habitats Survey and a Biodiversity Net gain calculator have been submitted with this application which demonstrates that the site would result in a small/ marginal net gain in biodiversity, compared to the current situation.

5.7.7 Whilst the proposals would result in the loss of these arable fields, these score relatively low, in terms of biodiversity and habitats. The proposals would also result in some loss of existing hedgerows, most notably whether the new access will be created and temporarily where the construction accesses will be installed. Measurable Biodiversity Net Gain is demonstrated by use of the Defra Metric 3.0. The results of the calculation show that overall, the development is capable of achieving a net gain of 15.36% based on the number of biodiversity units post development. This will be though:

- New hedgerow and tree planting including around retained hedgerows to enhance their status to species rich
- A new attenuation pond and swales enriched for wildlife through native aquatic and marginal plants
- Enhancement of semi-natural grassland to create species rich grassland
- Enhancement of existing pond by planting native aquatic and marginal plants
- Tree planting at various locations using suitable native species with the retention of the mature tree belt along Stotfold Road which is suitable for supporting protected species
- Grassland habitat for farmland birds

5.7.8 The retention and creation of new on-site habitat will enhance the existing ecological network by strengthening wildlife corridors and habitats to improve habitat functionality and connectivity.

5.7.9 Officers consider that there would not be any harm to biodiversity and ecology. In addition, in order to seek to ensure the delivery and longer-term viability of the on-site mitigation (landscaping, natural grasslands etc), a suitable planning condition would also require the management and maintenance of these features.

5.7.10 It is acknowledged that Herts and Middlesex Wildlife Trust (HMWT) have also supported the plans from a biodiversity perspective but comments that the proposals need to include a 12m buffer around trees and hedgerows. A condition was recommended to secure a 12m ‘ecological buffer’ to the LWS Stotfold Verges and Railway Embankments. However, as these buffers for landscaping are shown on the parameter plans, as well as other conditions such as for landscaping and the Design Code, Officers do not consider this condition to be necessary.

5.7.11 The illustrative masterplan has maintained a buffer around hedgerows and trees, although it is not as deep as 12m along the internal hedgerows, which shows 6m either side. The detailed plans for reserved matters will define the buffer together with the overall layout of development. It is considered that as the whole, taking into consideration the net gain across the proposal, that the overall impact of this proposal in the long term is a small net benefit to ecology in accordance with NHLP Policies SP17 and NE4.

Archaeology

5.7.12 The application site is not located within an Area of Archaeological Significance (AAS). Wilbury Hill to the north is an AAS approximately 100m to the north which contains a Schedule Ancient Monument: Two bowl barrows located 330m from the site boundary to the north-east.

5.7.13 NHLP Policy HE4 on Archaeology states that permission for development proposals affecting heritage assets with archaeological interest will be granted provided that: a. developers submit an appropriate desk-based assessment and, where justified, an archaeological field evaluation. Policy HE4 as modified also states that *'Areas of as yet, unknown archaeology may be identified during research, or through the planning or plan making process. These sites or areas should be treated in the same way as archaeology areas and areas of archaeological significance'.* The NPPF para.199 sets out the same approach to sites of archaeological significance as other heritage assets, in that *'great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be)'.* Para. 203 also requires *'in weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'*

5.7.14 The site has been subject of a desk-based assessment and trial trenching investigations. This work identified archaeological features in several parts of the proposed development areas: A Late Iron Age/Romano-British farmstead was revealed in the southwestern part of the site, with finds including pottery, brick/tile, glass and animal bone. A trackway was also seen of a similar date as well as a series of sinuous ditches, indicating past land division and considered to constitute substantial archaeological features, which are of regional and local significance.

5.7.15 HCC Historic Environment have confirmed that they do not object to the proposals as the findings are unlikely to be so significant so as to warrant 'scheduling' and would not restrict the proposed development. However, further investigations would be required to analyse the findings and provide a report and publication of the results. Subsequently the applicant has been liaising with the County Archaeologist to agree the final Written Scheme of Investigation to commence that work should outline planning permission be granted. Nevertheless the full condition is recommended and set out below, to ensure the WSI is fully agreed.

5.7.16 Overall, whilst there are significant finds on the site, as an undesignated heritage asset the action to investigate further and record the findings in a publication are proportionate and a balanced response to the scale of the harm and significance of the findings. The proposals are therefore in accordance with NPPF paragraph 199 and 203 and NHLP Policy HE4.

Land contamination

5.7.17 The application is accompanied by a 'Preliminary risk assessment and geo-environmental Site Investigation report' (by RSK consultants). A Phase 1 report was considered appropriate during the Scoping of the proposals in line with EIA regulations. Having considered the submitted report, the NHDC Environmental Health Officer stated: '*I have no objection to the granting of permission. I recommend that further investigation of potential contamination on land be undertaken, as recommended in the Phase I environmental risk assessment report that was submitted with the application. To this end, I have recommended that the following condition is attached to any permission*…' The proposed condition relates to a Phase II environmental risk assessment being undertaken and appropriate remediation if required undertaken, all pre-commencement of development.

Air Quality

5.7.18 NPPF para. 105 states that *'The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health'.* NPPF para. 186 (under section 'Ground conditions and pollution') states that *'Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement'.*

5.7.19 The application has been submitted together with an Air Quality Assessment, as well a Transport Assessment and a Travel Plan. The Council's approach and guidance to matters on air quality is outlined in the 'North Herts Air Quality Planning Guidance (October 2018)' document. The Council's Environmental Health Officer advises that in accordance with NHDC guidance, there is no objection subject to conditions. The assessment considers the development to represent a 'major' Scale development in terms of the measures that will be required to mitigate any adverse impact on local air quality.

5.7.20 The mitigation to be secured via conditions for developments of this scale include a Detailed Demolition and Construction Management Plan, a Travel Plan and the provision of EV charging points. The Demolition and Construction Management Plan is required to ensure there are adequate measures to control nuisance during works from the spread of pollution, dust and fine particulate matter, to protect the amenity of neighbouring residents. It is noted that the submitted Travel Plan does not include any reference to the provision of EV charging points, although it is acknowledged that there is a strong emphasis on encouraging a shift away from the use of private car journeys. The deficiencies of the submitted Travel Plan can be addressed via a suitable condition and through the S106. Lastly, all dwellings with allocated parking either on or adjacent to the plot will include EV charging points, to encourage the uptake and use of low emission electric vehicles. Officers are also aware of Part S coming into effect in Building Regulations that require all new dwellings to provide EV charging. A condition is included to require details to be submitted which go beyond the requirements of Part S.

Noise and Vibration

5.7.21 The application is accompanied by a Noise and Vibration assessment by WSP as part of the ES. Having assessed the submitted information, the Council's Environmental Health Officer has not raised any objections and has advised that the main sources of noise, namely road traffic noise from Stotfold Road, the railway line and employment area at Wilbury Way, have been correctly and adequately assessed using appropriate standards and guidance.

5.7.22 It is advised that some of the proposed properties along Stotfold Road will likely require mitigation measures, such as taller fencing and detailed consideration to orientation of the buildings closest to the road. Some proposed dwellings shown on the Illustrative Layout were shown close to the road, which would be most affected, but could be dealt with by considering specific fenestration and boundary treatment. However, this will be subject to a finalised site layout together with noise mapping as part of relevant applications for reserved matters where properties are alongside Stotfold Road.

5.7.23 In relation to the railway line, a substantial buffer has been provided in the form of green infrastructure, allotments and school playing fields to create the separation required to protect residents from noise and vibration from trains.

5.7.24 With regard to noise and vibration during the construction phases including traffic, whilst this is addressed in the assessment, it has been advised that no further conditions are required, although an informative is to be included which will require the developers and contractors to adhere to the noise limits suggested (that British Standards noise limits be adhered to and that during the construction phases, no activities take place outside of Mon-Fri 0800-1800 and 0800-1300 Saturdays and no work on Sundays and Bank holidays). The assessment identifies that there will be slight to negligible impact of construction noise and moderate for shorter times while work takes place closer to existing residents, as the main receptors, although the impact is also identified as temporary.

Railway Line

5.7.25 A response from Network Rail on the application does not raise objection in principle to the development but raises concerns regarding the proximity of the proposals to the electrified railway line. The main concern is in relation to the potential for increased trespassing on the railway. This has been addressed by requiring a 'trespass proof' fence along the entire boundary of the application site with the railway line. In addition, the masterplan identifies a green corridor between the railway line and any development which will act as a landscape buffer for strategic landscaping, green infrastructure, ecology as well as visual and residential amenity.

5.7.26 There is also an existing crossing over the railway line, used to provide access between two fields. It would have become redundant when the development commences, but work has already been undertaken to close the crossing. Network Rail's request for the applicant to fund and agree the closure of the crossing is no longer relevant. However, to ensure the safety and security of the development and the railway line, Officers seek to ensure there will be appropriate fencing along the railway by way of detail required through a landscaping condition.

5.7.27 Lastly there are several informatives from Network Rail to do with protecting the railway line and the construction phase of development. These will be added to the decision notice for future reference.

Impact on the residential amenity of existing local and neighbouring residents

5.7.28 Concern has been raised from residents living nearby to the proposed development with regard to loss of privacy, overshadowing and loss of light. The nearest proposed dwellings to the side boundaries of High Dane (potentially within a few meters as the street layout continues), Collison Close and Roundwood Close (both with a buffer of strategic landscaping between existing and new built form shown on the parameter plans); rear boundaries of properties on Grovelands Avenue and Armour Rise (rear garden to rear garden would be about 25m between properties).

5.7.29 Proposed dwellings would be screened and separated from existing properties on the north side of Grovelands Avenue and edges of High Dane and Armour Rise by enhanced landscaping. Given the distances, potential site layout and enhanced planting, the proposals are not considered to result in any material adverse impacts in terms of any overlooking, any loss of light and there would not be any direct overlooking of existing properties.

5.7.30 Officers conclude that the living conditions of existing residents would not be significantly affected as a result of the development. This will of course be examined in much greater detail during the course of an application for reserved matters. In the short term, there would likely be at least some impacts to existing neighbouring properties during the construction phase due to construction noise, vibration and traffic. Whilst various conditions would be imposed on the grant of planning permission, which seek to minimise this impact (for example, construction method statements and construction hours etc), there is likely to be at least some impact and disturbance, even if it is kept at a minimal level. All construction traffic will come from Stotfold Road, thereby limiting the impact of construction traffic on residents from high Dane and Highover Way. This will also be managed through a Construction Traffic Management Plan. It is therefore considered that the construction phase of this proposal will have a small adverse impact on residential amenity.

Loss of agricultural land

5.7.31 Paragraph 174(b) of the NPPF states decisions should recognise the economic and other benefits of the best and most versatile agricultural land (defined as land in Grades 1, 2 and 3a). The harm arising from the loss of agricultural land is a further factor to be considered.

5.7.32 The Natural England classification Maps show the land around Hitchin and Letchworth to fall within the ‘good to moderate’ (3) category, with some pockets of ‘very good’ (2). The Agricultural Land Classification Report submitted as part of the ES with this application concludes that the site is categorised as 2 (very good quality) and 3a (good). The site therefore does contain best and most versatile grade of agricultural land, which would be lost as a result of the development. This is an adverse impact of the proposal that will be considered in the planning balance.

Conclusion on environmental considerations

5.7.33 As outlined above, the proposed development would have a small net benefit in terms of ecology, and there is no objection subject to various conditions to drainage, land contamination, air quality and noise. There will be some adverse impact in relation to residential amenity in the short term, and the loss of best and most versatile agricultural land. It is acknowledged that there would be some disturbance to neighbouring properties during the construction phase, but less so once the development is completed in areas close to existing development. Overall, in the planning balance, the proposals cause a small level of environmental harm.

5.8 Planning Obligations

5.8.1 In considering planning obligations in relation to this development NPPF para. 57 advises that: *'Planning obligations should only be sought where they meet all of the following tests:*

1.0 necessary to make the development acceptable in planning terms;
2.0 directly related to the development; and
3.0 fairly and reasonably related in scale and kind to the development.'

5.8.2 NHLP Policy SP7 sets out infrastructure requirements and developer contributions that are '*necessary in order to accommodate additional demands resulting from the development'*. This policy reflects the NPPF principles set out above. It also cites the recently adopted Development Contributions SPD adopted by the Council and the update to Development Contributions adopted by the County Council.

5.8.3 Officers have held detailed negotiations with the applicant and agreement has been reached on a range of matters which are included in the draft s106. These include the phased provision of 40% affordable dwellings of which 65% will be for affordable rent; the transfer of the 'school land' to HCC for a new primary school and early years provision; and index-linked financial contributions towards secondary education. Also included are index-linked financial contributions towards the bus diversion of no.81, range of highways and sustainable transport measures, delivery of the Greenway extension, improvement of sports and community facilities, waste and recycling centre improvements, off-site habitat creation, and expansion of GP services (Portmill Surgery).

5.8.4 All of the s106 obligations are listed in the following table:

<table>
<tr><th>Element</th><th>Detail</th><th>Justification</th></tr>
<tr><td>Affordable Housing (NHDC) with private and self-build tenure</td><td>Based on 700 units, on site provision of 40% (approx. 280 units) based on 65% rented tenure (approx. 182 units) and 35% intermediate tenure (approx. 98 units) to be agreed through a Scheme of Affordable Housing

Indicative housing mix for Affordable Rented:
<table><tr><td>1bed flat</td><td>21% (approx. 38 Units)</td></tr><tr><td>2bed flat</td><td>12% (approx. 22)</td></tr><tr><td>2bed house</td><td>26% (approx. 47)</td></tr><tr><td>3bed house</td><td>35% (approx. 64)</td></tr><tr><td>4+bed house</td><td>6% (approx. 11)</td></tr></table>
Indicative housing mix for Intermediate:
<table><tr><td>1bed flat</td><td>8% (approx. 8 units)</td></tr><tr><td>2bed flat</td><td>8% (approx. 8)</td></tr><tr><td>2bed house</td><td>20% (approx. 19)</td></tr><tr><td>3bed house</td><td>54% (approx. 53)</td></tr><tr><td>4+bed house</td><td>10% (approx. 10)</td></tr></table>
Indicative housing mix for Private:
<table><tr><td>1bed flat</td><td>2% (approx. 8 units)</td></tr><tr><td>2bed flat</td><td>7% (approx. 30)</td></tr></table></td><td>NHDC Developer Contributions Supplementary Planning Document (SPD) Feb 2023

NHLP Policy HS2 Affordable Housing</td></tr>
</table>

	<table><tr><td>2bed houses</td><td>21% (approx. 88)</td></tr><tr><td>3bed house</td><td>30% (approx. 126)</td></tr><tr><td>4bed house</td><td>35% (approx. 147)</td></tr><tr><td>5bed house</td><td>5% (approx. 21)</td></tr></table> Self-build – 7 units (approx. 1%) to be self-build	
Primary Education (HCC)	Indicative contribution of £7,605,242 (based on the build cost minus the land cost) (to be index linked) towards the cost of delivering the new on-site primary school which includes new nursery provision. The transfer of the land for the new primary school shown on the Illustrative Masterplan to HCC via Land Transfer Agreement. The transfer of the land for the new primary school will be subject to the land meeting the HCC School Land Site Specification, the details of which will be included as part of the S106 Legal Agreement	Policy SP7 Infrastructure requirements and developer contributions Developer Contributions SPD HCC 'Guide to Developer Infrastructure Contributions' 2022
Secondary Education contributions (HCC)	Indicative contribution of £6,961,516 (to be index linked) towards the expansion of The Priory School and/or secondary education provision serving the development	Policy SP7 Developer Contributions SPD HCC 'Guide to Developer Infrastructure Contributions' 2022
Childcare Services (HCC)	Indicative contributions of £541,610 (to be index linked) towards new childcare provision on the primary school land and/or provision serving the development	Policy SP7 Developer Contributions SPD HCC 'Guide to Developer Infrastructure Contributions' 2022
Special Educational Needs and Disabilities (SEND) (HCC)	Indicative contribution of £853,451 (to be index linked) towards the EAST severe learning difficulty school and/or provision serving the development	Policy SP7 Developer Contributions SPD HCC 'Guide to Developer Infrastructure

		Contributions' 2022
Library Services (HCC)	Indicative contribution of £157,718 (to be index linked) towards increasing the capacity of Hitchin Library and/or provision serving the development	Policy SP7 Developer Contributions SPD HCC 'Guide to Developer Infrastructure Contributions' 2022
Youth Services (HCC)	Indicative contribution of £210,190 (to be index linked) towards increasing the capacity of facilities for young people in Hitchin and/or provision serving the development	Policy SP7 Developer Contributions SPD HCC 'Guide to Developer Infrastructure Contributions' 2022
Waste Service (HCC)	Indicative contributions of £125,624 (to be index linked) towards increasing capacity at Letchworth Recycling Centre or provision to serve the development and/or provision serving the development	Policy SP7 Developer Contributions SPD HCC 'Guide to Developer Infrastructure Contributions' 2022
Sustainable Transport contributions (HCC)	**Strand 1 –** Contributions of £235,000 (to be indexed linked) towards extension to the Letchworth Greenway (subject of application 22/00303/FP) comprising £166,750 for landowner maintenance, compensation, legal fees; and £68,250 for construction of path by HCC Contribution of £17,000 (to be indexed linked) towards a footpath link between The Greenway and Highfield School Contributions of £100,000 (to be indexed linked) towards a new toucan crossing over Stotfold Road Contributions of £875,000 (to be indexed linked) towards bus diversion no.81/81a (£175k for 5 years) first payment to be	Policy SP7 Policy SP17 Policy D1 Developer Contributions SPD HCC LTP4 HCC 'Guide to Developer Infrastructure Contributions' 2022

	received prior to occupation Contributions of £163,100 (to be indexed linked) towards bus vouchers including each household receiving 1 booklet for 3 months as well as design time and a travel awareness campaign Contributions of £6,000 (to be indexed linked) towards Residential Travel Plan to be approved and monitored for 5 years Contributions of £10,500 (to be indexed linked) towards School Travel Plan monitoring for 7 years **Strand 2 –** Contributions of £3,382,572 (to be indexed linked) towards measures to enhance sustainable transport in the vicinity calculated based on the number of non-car driver trips and the scale of residential and non-residential development, to upgrade and improve sustainable transport in line with priorities identified	
Ecological off-site compensation scheme (HCC)	Contribution of £166,000 (to be indexed linked) towards creation and management of habitat off-site to mitigate for Corn Buntings	Policy SP7 Developer Contributions SPD HCC 'Guide to Developer Infrastructure Contributions' 2022
Monitoring Fees (HCC)	Towards the County Council's reasonable and proper administrative costs of monitoring compliance with the provision in the legal agreement. The fees will be calculated based on the number of triggers within the legal agreement with each distinct trigger point attracting a charge of £340 (adjusted for inflation against RPI July 2021)	Policy SP7 Developer Contributions SPD HCC 'Guide to Developer Infrastructure Contributions' 2022
Health Services	Contribution of £30,000 to be indexed linked, towards the extension of services at Portmill Surgery, Hitchin	Policy SP7 Developer Contributions SPD
Community Centre/ Halls	Contribution of £398,721 to be indexed linked, towards the improvement and/ or	Policy SP7

Contribution (NHDC)	expansion project at Walsworth Community Centre, Woolgrove Road, Hitchin	Developer Contributions SPD
Outdoor Sports Contribution (NHDC)	Contribution of £419,922 to be indexed linked, towards football for a new pavilion at Walsworth Common (Sports England) Contribution of £35,506 to be indexed linked, towards rugby turf pitch improvements at Hitchin Rugby Club and £86,230 to be indexed linked for second phase of improvements to club house and/or expansion of carpark at Hitchin Rugby Club Contribution of £10,000 to be indexed linked, towards cricket for a non-turf wicket at Ickleford Cricket Club Contribution of £10,000 to be indexed linked, towards hockey for a replacement carpet on pitch at Lucas Lane Sports Club, Hitchin Contribution of £160,000 to be indexed linked, towards MUGA renovation of facilities at King George 5th Playing Fields, Hitchin Contribution of £79,636 to be indexed linked, towards a new 3G artificial grass pitch at Priory School (or at alternative location such as Fearnhill School or Highfield School)	Policy SP7 Developer Contributions SPD 'Local Football facilities Plan' (NHDC, FA Herts and FA document)
Indoor Sport Contribution, Health, Leisure and Fitness (NHDC)	Contribution of £250,000 to be indexed linked, towards improvements to changing rooms and hall (flooring and lighting) at Fearnhill School Contribution of £50,000 to be indexed linked, towards replacement of pool boiler and/or refurbishments of changing rooms at Hitchin Swim Centre Contribution of £35,000 to be indexed linked, towards expansion of Archers Gym at Hitchin Swim Centre	Policy SP7 Developer Contributions SPD
Waste Collection & Recycling (NHDC)	Contribution of £61,799 to be indexed linked	Policy SP7 Developer Contributions SPD
Open space provision and management/ maintenance	On-site provision of open space including 1x NEAP and 2x LEAPs to be adopted by NHDC as shown on the indicative masterplan and to be provided in accordance with the standards	Policy SP7 Developer Contributions

arrangements (NHDC)	of *NHDC Open Space Review and Standards 2016* and *Guidance for Outdoor Sport and Play: Beyond the six acre standard (England)* Contributions of approximately £4,637,815 (to be index linked) as based on the Biodiversity and Landscape Framework Plan towards the long-term maintenance of green and open spaces within the site by North Herts Council to cover a period of 25 years, which is the preferred option with alternative backup to use a management company to maintain green spaces Scheme of provision, adoption and management for all play areas and open space required to be submitted prior to commencement Allotments within 0.5ha as shown on the indicative masterplan and to be provided in accordance with the standards	SPD
Monitoring Fee (NHDC)	One off monitoring fee of £25,000 (to be index linked) to cover the monitoring of all obligations (except for those relating to HCC)	Policy SP7 Developer Contributions SPD

5.8.5 At this stage the planning contribution figures have been agreed by all parties. Discussions are ongoing regarding the wording of the s106 Agreement, such as trigger points. However, it is considered that the s106 Agreement is advanced enough to refer this matter to Planning Committee and that the outstanding issues are minor in nature and can be resolved prior to determination.

5.8.6 All the elements of these Obligations are necessary to make the development acceptable in planning terms, are directly related to the development, and are fairly and reasonably related in scale and kind to the development. In the light of the detailed evidence, all the elements of the Obligation meet the policy in paragraph 256 of the NPPF and the tests in Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended).

5.8.7 Some of the provisions of the Obligation are designed to mitigate the impact of the proposal and these elements, most notably the infrastructure contributions, therefore do not provide significant benefits weighing in favour of the proposal. However other matters, most notably the transfer of the ‘school land’ and the provision of affordable housing, heavily weigh in favour of the proposed development. Further agreed contributions towards sustainable transport and the bus diversion and vouchers, community centres/ halls and both indoor and outdoor sports facilities contributions, whilst mitigating the impact of the development, would also be a wider public benefit as residents beyond those living at the proposed development site will benefit and make use of the new and improved facilities.

5.9 Summary and Conclusion

5.9.1 The site at Highover Farm Hitchin, Policy SP17 ref. HT1 was removed from the Green Belt on adoption of the North Hertfordshire Local Plan in November 2022 to enable to development of the site as a Strategic Housing Site for approximately 700 homes. The site will make a significant contribution to the delivery of homes in the district for the rest of the Plan period which also benefits from a strong defensible boundary to the Green Belt around Hitchin.

5.9.2 Through this planning application for outline permission, this site has been through a formal, collaborative masterplanning exercise with extensive negotiations and improvements to the final Strategic Masterplanning Framework document over the last 5 years. The SMP represents a high standard of urban design, green infrastructure and in keeping with the context. The proposals are in accordance with Policies SP9 and SP17 of the NHLP 2022.

5.9.3 Regarding the impact on heritage assets, Officers note the 'less than substantial harm' that the proposals will have on the setting of the Threshing Barn as a Grade II listed building, but that the public benefits of the delivery of up to 700 new homes which secures the districts housing land supply on an allocated Strategic Housing Site outweighs the harm, in accordance with the NPPF and NHLP Policies.

5.9.4 Regarding landscape, the proposals are considered to be in accordance with the NPPF and NHLP Policy NE2 on Landscape, where the site will sit as an urban extension to Hitchin in context with the existing urban development. The proposed green infrastructure and significant new landscaping will mitigate any localised adverse impact.

5.9.5 Hertfordshire Highways raise no objection to the proposed development, stating that '*the development will not have a significant detrimental impact on the local highway network*' read alongside the substantial package of sustainable transport measures incorporated into the development and planned off-site, it is concluded that the proposals are in accordance with the NPPF, NHLP Policy T1 and LTP4.

5.9.6 The construction phase from a highway perspective is particularly important given the scale of the site and proximity of existing residents and will be controlled through conditions relating to the site wide phasing and delivery of the site, together with a construction traffic management plan.

5.9.7 Other material considerations have been assessed for this stage of the planning process relating to drainage and flooding, ecology, archaeology, land contamination, air quality, noise and vibration, the railway line, impact on residential amenity and loss of agricultural land. Further detail on some of these areas will be secured through conditions for further information or reserved matters applications.

5.9.8 The application is accompanied with a package of planning obligations which are necessary to make the development acceptable, directly related to the development, and fairly and reasonably related in scale and kind. These are set out in para. 5.8.4 above and include policy compliant levels of affordable housing, education, sustainable transport, community facilities, sports provision, GP surgery provision, waste services, green infrastructure and parks.

5.9.9 Overall, the proposed development is in accordance with the NPPF 2021 and the NHLP 2022.

6.0 **Alternative Options**

6.1 None applicable (see 'Key issues' section of this report above)

7.0 Climate Change mitigation measures

7.1 This application is accompanied by a 'Sustainability Statement' by Rapleys dated April 2018. Members will note that this application was submitted before the Council announced a Climate Emergency and so the proposals have been submitted on the basis of the Policy requirements in the NHLP and the NPPF.

7.2 Notwithstanding this, there are several aspects of this proposal which are of note, with regard to seeking to mitigate climate change and whilst many of these have already been discussed in this report, these are summarised below:

- Electric Vehicle charging points will be incorporated throughout
- Substantial contributions towards sustainable transport, including the diversion of the 81/81a bus service through the site
- Contributions for bus vouchers for all new residents for 3 months
- The implementation of the submitted Travel Plan, seeking incentives to reduce use of the private car and push towards more sustainable modes of travel with contributions for the monitoring of the travel plans from a residential and school perspective
- Funding of an extension to The Greenway around Letchworth to connect the site and enable easy access by sustainable forms of travel to Letchworth and access to the countryside.
- Hedgerow would be reinforced within the site
- New structural planting within the site totalling 3.04 ha
- Biodiversity net-gain on site and contributions towards additional net-gains off-site.
- The submission of a Landscape and Ecology Management Plan in order to implement and maintain the on-site landscaping and ecology benefits.
- A recommended condition will require that a Site Waste Management Plan be submitted prior to commencement, in order to reduce waste both during and after construction

7.3 Notwithstanding the above, as the submitted Energy and Sustainability statement is now several years old, a further condition will require that this be updated and resubmitted to the Council, whereby the use of sustainable technologies can be reconsidered in accordance with up-to-date planning policy.

8.0 Pre-Commencement Conditions

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

9.0 <u>Legal Implications</u>

9.1 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.

10.0 <u>Recommendation</u>

10.1 That outline planning permission is resolved to be **GRANTED** subject the following:

1.0 The completion of a satisfactory legal agreement and associated land transfer agreement, and the applicant agreeing to extend the statutory period in order to complete the agreement if required; and

2.0 Providing delegated powers to the Development and Conservation Manager to update conditions and informatives with minor amendments as required; and

3.0 Conditions as set out below:

Definitions:

'**Development Parcel'** means a phase or part of the development excluding Enabling and Associated Works. For instance, this would include a phase or part of the development comprising housing, a local centre, a primary school, allotments and/or play areas

'Enabling and Associated Works' means the preparation of a site in readiness for the first stage of development: this includes (i) surveying, (ii) environmental and hazardous substance testing and sampling (including the making of trial boreholes, sampling and test pits in connection with such testing) (iii) soil tests, (iv) pegging out, (v) tree protection, (vii) ecological survey and mitigation works, (vii) archaeological investigation and (vi) demolition and removal of buildings and other structures on the site and site set up.

Approval Plans and Documents

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, together with the reserved matters approved by the Local Planning Authority, or with minor modifications of those details or reserved matters which previously have been agreed in writing by the Local Planning Authority as being not materially different from those initially approved.

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

Submission of Reserved Matters

2. No part of the built development hereby permitted shall be commenced on a development parcel within a particular development parcel or sub-phase (as referred to in condition 4) until full details of the layout, scale, access (other than main vehicular access), appearance and landscaping within the parcel (hereinafter referred to as reserved matters) have been submitted to and approved in writing by the Local Planning Authority.

   Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 and the provisions of the Town and Country Development Management Procedure Order 2015 and to ensure high quality urban design and co-ordinated development.

Time Limits

3. Application for approval of the first reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission, and the development hereby permitted shall be begun before the expiration of 2 years from the date of approval of the first of the reserved matters to be approved.

Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

4. Quantum of land uses

The number of homes and floorspace of land uses as set out below shall not be exceeded pursuant to this planning permission:
Residential (Use Class C3) – up to 700 residential dwellings
Flexible mixed use, neighbourhood levels facilities: Classes E (a)(b)(c) – up to 500 sq.m

Reason: To ensure that the development is completed within the scope of the approved parameter upon which the application has been assessed, in accordance with the requirements of section 51 of the Planning and Compulsory Purchase Act 2004.

Phasing & Delivery

5. No development shall commence apart from enabling or associated works until a Site Wide Phasing & Delivery Plan which accords with the s106 triggers and Transport Mitigation Phasing Strategy has been submitted to and approved in writing by the local planning authority. Thereafter each subsequent reserved matters application for any phase (or part thereof) shall be accompanied by an updated programme or statement of compliance with the approved strategy for subsequent approval by the local planning authority

The development shall be carried out in accordance with the approved Phasing Plan unless there are unforeseen events / obstacles to delivery and alternative timing for provision is agreed in writing by the Local Planning Authority.

All reserved matters submissions shall be in accordance with the Site Wide Phasing and Delivery Plan as approved by the Local Planning Authority, unless otherwise agreed with the Local Planning Authority. Any references to a Phase of the development within this permission shall be taken to be a reference to phases as identified within the Site Wide Phasing and Delivery Plan submitted under this condition.

The Site Wide Phasing and Delivery Plan shall include but not be limited to the sequence of providing the following elements:

a) Residential development parcels;
b) Location of self-build plots
c) A programme for the delivery of public transport infrastructure;
d) Major distributor roads/routes within the site, including timing of provision and opening of access points into the site;
e) Strategic footpaths and cycleways;
f) Primary school (playing pitches), community/neighbourhood centre facilities
g) Strategic foul and surface water features and SUDS;
h) Formal and informal public open space, park/square, allotments, parks, NEAP and LEAP;
i) Strategic/structural landscaping
j) Strategic electricity, telecommunications and gas networks;
k) Infrastructure for the provision of fibre optic cables;
l) Environmental mitigation measures
m) Off-site highway improvements.

Reason: To secure comprehensive, co-ordinated and sustainable development and assist with the determination of subsequent reserved matters applications in order to

ensure that infrastructure provision and environmental mitigation are provided in time to cater for the needs and impacts arising out of the development, in accordance with Policy SP1, SP9 and SP17.

Design Code

6. Prior to or concurrently with the submission of the first reserved matters application (s) a Site Wide Design Code shall be submitted to the Local Planning Authority for approval. No development shall commence except enabling and associated works until the Design Code has been approved in writing by the Local Planning Authority in consultation with Hertfordshire County Council (as highway authority, education authority and LLFA). The Design Code shall be prepared in accordance with the approved parameter plans established in this outline permission and build upon the Strategic Masterplan and Design and Access Statement. The Design Code shall include:

1. Vision for Development and Place-making Objectives

2. Framework Masterplan

3. Character Assessment of the Local Area

4. Nature

(a) The green space network including the design and approach to the character and treatment of each green space and corridor with regards to:
- formal and informal green space
- hard and soft landscaping
- removal of existing vegetation and trees
- treatment of existing and retained hedgerows and trees (buffer design)
- new tree planting
- habitat creation
- SUDS arrangements
- strategic earth modelling and mounding
- boundary treatment
- footpaths and cycleways/crossings within or adjacent to green space

5. Movement

(b) The street network and hierarchy and design specifications, including:
- public transport infrastructure
- key junction design
- traffic management and calming
- pedestrian /cycle crossing treatment
- bus only section, bus gate location and operation, modal filters and associated vehicular turning area treatments

(c) Typical cross sections of street types to include details of footways, cycleway, kerb treatment, tree planting, tree species, sustainable urban drainage, landscaping, service corridors and on street parking

(d) Extent of highway to be offered for adoption

(e) The design treatment of footpaths and cycleways through the site and off-site

(f) Vehicular and cycle parking design across the site for residents and visitors

6. Uses

Primary School

(g) Design approach to the disposition, orientation, setback, massing and height of building, playing fields, landscaping and associated public realm

(h) Design approach to active frontage, primary entrances and architectural principles

(i) Design approach to vehicular, pedestrian and cycle access and parking

Neighbourhood Centre

(j) Approach to disposition of building, setbacks and height, associated landscaping and public realm

(k) Approach to vehicular, pedestrian and cycle access, parking and servicing and hard and soft landscaping

7. Built Form

(l) Block principles to establish use, density, building typologies, building line, primary frontages, pedestrian access points, fronts and backs, setbacks, space between buildings, landscaping, gardens, parking typologies and design, boundary treatments

(m) Key groupings, landmark and marker buildings including specification on frontage character, heights, scale, form, level of enclosure, architectural principles and features

(n) Principles of elevational treatment, architectural principles and building materials

8. Public Space

(o) The conceptual design and approach to the public realm with reference to surfacing and materials, boundary treatment, landscaping and planting, signage, and street furniture

(p) The conceptual design and approach to the lighting strategy and how this will be applied to different areas of the development with different lighting needs so as to maximise energy efficiency, minimise light pollution, protect wildlife and avoid street clutter

(q) Details of waste and recycling provision for all building types and recycling points

9. Homes & Buildings

(r) Specifications for space standards, accessibility, lighting, aspect, privacy, secured by design and garden space

(s) Approach to incorporation of ancillary infrastructure such as sub stations, pipes, flues, EV charging points, fibres, wires and cables as required by statutory undertakers

10. Resources

(t) Measures to demonstrate how the design can maximise resource efficiency through energy efficiency standards, on-site renewables and reduced water consumption and climate change adaptation through external passive means such as landscape, orientation, massing and external building features

11. Stewardship

(u) Details of adoption, management and maintenance arrangements of highways, footpaths, cycleways, green space and public realm

The Design Code shall explain its purpose, structure and status and set out the mandatory and discretionary elements where the Design Code shall apply, who should use the Design Code and how to use the Design Code.

Details of the Design review procedure and of circumstances where a review of the Design Code shall be implemented.

All subsequent reserved matters applications shall accord with the details of the approved Design Code and be accompanied by a statement which demonstrates compliance with the code.

There shall be no variation or amendment to the approved Design Code unless this is formally agreed in writing by the Local Planning Authority

Reason: To ensure high quality design and co-ordinated phased development in accordance with Policy SP9 Design and Sustainability and D1 Sustainable Design in the North Hertfordshire Local Plan and Section 12 of the NPPF, National Design Guide and National Model Design Code and to mitigate and minimise any negative impact on the significance and setting of the Grade II listed Threshing Barn.

Highways

Existing Access – Closure

7. Prior to the first occupation of the development hereby permitted, vehicular and pedestrian access to and egress from the adjoining highway shall be limited to the access(es) shown on drawing number 62240435-TAA-DP-100-001 Rev P08 General Arrangement only. Any other access(es) or egresses shall be permanently closed (except construction accesses), and the highway verge shall be reinstated in accordance with a detailed scheme to be agreed with the Local Planning Authority, concurrently with the bringing into use of the new access.

Reason: To ensure construction of a satisfactory development and in the interests of highway safety and amenity in accordance with Policies 5 and 7 of Hertfordshire's Local Transport Plan (adopted 2018).

Bus Gate

8. Prior to commencement of development apart from enabling and associated works, details shall be submitted to the Local Planning Authority in consultation with the Highway Authority relating to the design and operation of a bus gate preventing the through movement of general vehicular trips from High Dane to Stotfold Road.

Reason: To ensure that sustainable travel options associated with the development are promoted and maximised to be in accordance with Policies 3, 5, 7, 8, 9 and 10 of Hertfordshire's Local Transport Plan (adopted 2018).

8 Construction Traffic Management Plan

No development apart from enabling and associated works, shall commence until a Construction Traffic Management Plan (in accordance with the best practice guidelines as described in the Construction Logistics and Community Safety (CLOCS) Standard), has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan, unless otherwise agreed in writing by the LPA. The Construction Traffic Management Plan shall include details of:

i. Phasing of the development of the site, including all highway works;
ii. Details of temporary access points for construction vehicles
iii. Construction vehicle numbers, type, routing;
iv. Traffic management requirements;
v. Construction and storage compounds (including areas designated for car parking);
vi. Siting and details of wheel washing facilities;
vii. Cleaning of site entrances, site tracks and the adjacent public highway;
viii. Timing of construction deliveries to avoid school pick up/drop off times; and
ix. Provision of sufficient on-site parking prior to commencement of construction activities.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

9 Detailed Highways Plans – Reserved Matter

All reserved matters applications for any development phase or sub-phase shall include full details in relation to the design of estate roads (in the form of scaled plans and / or written specifications) shall be submitted to and approved in writing by the Local Planning Authority to detail the following:

a. Roads;
b. Footways;
c. New pedestrian and cycle accesses into the site;
d. Cycleways (compliant with LTN 1/20);
e. External public lighting;
f. Minor artefacts, structures and functional services;
g. Foul and surface water drainage;
h. Visibility splays;
i. Access arrangements including temporary construction access
j. Hard surfacing materials;
k. Parking areas for vehicles and cycles;
l. Loading areas; and
m. Turning and circulation areas.

The development shall be implemented in accordance with those approved plans.

Reason: To ensure suitable, safe and satisfactory planning and development of the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan 2018.

10. Maintenance of Streets

Prior to the first occupation of any dwellings within any Parcel of the development, full details shall be submitted to and approved in writing by the Local Planning Authority in relation to the proposed arrangements for future management and maintenance of the proposed streets within that Parcel. Following the provision of such streets, the streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established in accordance with the approved details.

Reason To ensure that any future management arrangements for the various elements of the transport network are in accordance with Policy SP9 of the Local Plan and Policy 5 of Hertfordshire's Local Transport Plan 2018.

11. Fire Hydrants

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

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

12. Tree protection

Before the commencement of any other works on the site, trees to be retained shall be protected by the erection of temporary chestnut paling or chain link fencing of a minimum height of 1.2 metres on a scaffolding framework, located at the appropriate

minimum distance from the tree trunk in accordance with Section 4.6 of BS5837:2012 'Trees in relation to design, demolition and construction – Recommendations, unless in any particular case the Local Planning Authority agrees to dispense with this requirement. The fencing shall be maintained intact for the duration of all engineering and building works. No building materials shall be stacked or mixed within 10 metres of the tree. No fires shall be lit where flames could extend to within 5 metres of the foliage, and no notices shall be attached to trees.

Reason: To prevent damage to or destruction of trees to be retained on the site in the interests of the appearance of the completed development and the visual amenity of the locality in accordance with North Hertfordshire Local Plan Policy NE4

13. Land Contamination

(a) No development approved by this permission shall be commenced until a Site Investigation (Phase II environmental risk assessment) report has been submitted to and approved by the Local Planning Authority which includes:
(i) A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;
(ii) The results from the application of an appropriate risk assessment methodology.

(b) No development approved by this permission (other than that necessary for the discharge of this condition) shall be commenced until a Remediation Method Statement report; if required as a result of (a), above; has been submitted to and approved by the Local Planning Authority.

(c) Each phase of the development shall not be occupied, or brought into use, until:
(i) All works which form part of the Remediation Method Statement report pursuant to the discharge of condition (b) above have been fully completed for that phase and if required a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme.
(ii) A Remediation Verification Report confirming that each relevant phase of the site is suitable
for use has been submitted to, and agreed by, the Local Planning Authority.

(d) Any contamination, other than that reported by virtue of condition (a) encountered during the development of each phase shall be brought to the attention of the Local Planning Authority as soon as practically possible; a scheme to render this contamination harmless shall be submitted to and agreed by, the Local Planning Authority and subsequently fully implemented prior to the occupation of each phase.

Reason: To ensure that any contamination affecting the site is dealt with in a manner that safeguards human health, the built and natural environment and controlled waters in accordance with North Hertfordshire Local Plan Policy NE11.

14. If, during development of each phase, contamination not previously identified is found to be present at the site then no further development of that phase (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with NPPF paragraphs

174 and 185, North Hertfordshire Local Plan Policy NE11 and the Environment Agency's approach to groundwater protection.

15. Development shall not begin apart from enabling and associated works until a scheme for surface water disposal has been submitted to and approved in writing by the Local Planning Authority. Infiltration systems shall only be used where it can be demonstrated that they will not pose a risk to groundwater quality. The development shall be carried out in accordance with the approval details.

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with NPPF paragraphs 174 and 185, North Hertfordshire Local Plan Policy NE8 and the Environment Agency's approach to groundwater protection.

16. Piling or any other foundation designs and investigation boreholes using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with NPPF paragraphs 109, 120, 121, North Hertfordshire Local Plan Policies NE8 and NE11, and the Environment Agency's approach to groundwater protection.

Ecology

17. Development apart from enabling and associated works shall not commence until a landscape and ecological management plan (LEMP) has been submitted to, and approved in writing by, the local planning authority. The content of the LEMP shall ensure the delivery of the agreed number of habitat and hedgerow units in the approved biodiversity metric (104.49 habitat units, 31.89 hedgerow units) to achieve a net gain in biodiversity and include the following.

a) Description, areas and evaluation of features to be managed, marked on plans.
b) Compensation and Habitat creation as proposed and detailed in the environmental statement 'ecology and conservation'.
c) Aims and objectives of management.
d) Appropriate management options for achieving target condition for habitats as described in the approved metric, directly cross referenced to lines in the approved metric.
e) Details of the make, model, and location of a minimum of integrated bat and swift boxes in appropriate buildings has been supplied to and approved by the LPA. These should be clearly marked on plans. Boxes shall be fully installed prior to occupation and retained as such thereafter.
f) Prescriptions for management actions, only definitive measures are acceptable.
g) Preparation of a work schedule if applicable (including a 5 year work plan and 30 year work schedule, capable of being rolled forward in perpetuity).
h) Details of the body or organisation responsible for implementation of the plan.
i) Ongoing monitoring plan and remedial measures to ensure approved habitat condition targets are met.
j) Details of species selected to achieve target habitat conditions as identified in approved metric, definitively stated and marked on plans.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where

the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved plan will be implemented in accordance with the approved details.

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

Sustainability Strategy

18. Prior to or concurrently with the first reserved matters submission a site-wide sustainability strategy shall be submitted to the Local Planning Authority for approval addressing renewable energy, reducing carbon emissions and water conservation.

Reason To reduce carbon dioxide emissions and promoting principles of sustainable construction and the efficient use of buildings in accordance with North Hertfordshire Local Plan Policies SP9 and D1.

EV Recharging Infrastructure Condition

19. Prior to occupation, each of the proposed new dwellings shall incorporate an Electric Vehicle (EV) charging point. Details of which shall be submitted to an approved in writing by the Local Planning Authority. Proposals should also be made for the provision of EV charging within other public parking areas of the proposed development. The charging points shall be retained thereafter.

Reason: To contribute to the objective of providing a sustainable transport network and to provide the necessary infrastructure to help off-set the adverse impact of the operational phase of the development on local air quality in accordance with North Hertfordshire Local Plan Strategic Objective ENV4 and Policy SP9 and D4.

EHO – Noise

20. Prior to first use of (each of the different Class Uses of) any non-residential development hereby permitted, a scheme including noise control measures shall be submitted for approval to the Local Planning Authority to demonstrate that the rating level of sound emitted from any external fixed plant and/or machinery associated with the development shall not exceed the existing background level inclusive of any penalty for tonal, impulsive or other distinctive acoustic characteristics when measured or calculated according to the provisions of BS4142:2014+A1:2019 (Method for rating and assessing industrial and commercial sound) and/or its subsequent amendments. The scheme shall be such that the combined noise level of all plant shall not exceed the Rating levels detailed in Table 12.10 of Environmental Statement Chapter 12 on Noise and Vibration. No plant shall be installed and operated at the site until the noise survey has been approved by the LPA.

Reason: To ensure an adequate level of amenity for residents of the new and existing dwellings in accordance with North Hertfordshire Local Plan Policy D3.

HCC Archaeology

21. No development including groundworks shall take place until an Archaeological Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of archaeological significance and research questions and:
    1. The programme and methodology of site investigation and recording
    2. The programme for post investigation assessment
    3. Provision to be made for analysis of the site investigation and recording

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

The demolition/development shall take place/commence in accordance with the programme of archaeological works set out in the Written Scheme of Investigation approved set out above.

The development shall not be occupied until the Site Investigation works as set out within the approved WSI have been completed and signed off by the local planning authority/county archaeologist. Thereafter, the post-excavation analysis and archive report shall be completed in accordance with the approved WSI and submitted for approval to the local planning authority within one calendar year of the date of this planning permission.

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

LLFA Flooding

22. The development permitted by this planning permission shall be carried out in accordance with the Highover Farm Hitchin, Flood Risk Assessment and Drainage Strategy, Revision 5, dated 12/12/19, prepared by WSP and the Drawing titled: Drainage Construction Sequencing Plan, Drawing No. 62240435-TTP-DP-300-001-02, Rev P07, dated February 2020 and the following mitigation measures:
    1. Provide attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + 40% for climate change event. Attenuation volume for the entire site to be provided as part of Phase 1: a. Infiltration Basin Volume: 12,509m3 b. Detension Basin Volume: 3365m3
    2. Implement drainage strategy based on above ground SuDS features such as swales, permeable paving, infiltration basin and detension basin, with discharge via infiltration.

    Reason: To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site in accordance with North Hertfordshire Local Plan Strategic Objective ENV4 and Policy SP11 and NE7, and Section 14 of the NPPF 2021.

23. No development apart from enabling and associated works shall take place until the final design of the drainage scheme is completed and sent to the LPA for approval. The surface water drainage system will be based on the submitted Highover Farm Hitchin, Flood Risk Assessment and Drainage Strategy, Revision 5, dated 12/12/19, prepared by WSP and the Drawing titled: Drainage Construction Sequencing Plan, Drawing No. 62240435-TTP-DP-300-001-02, Rev P07, dated February 2020. The scheme shall also include:
    1. Detailed infiltration tests to BRE Digest 365 standard carried out at the exact location and depth of the proposed infiltrating features
    2. Updated calculations for storage based on detailed infiltration testing.
    3. Provision of a SuDS design code for the entire site securing the provision of above ground SuDS features throughout the entire development for all and each phase.
    4. Detailed engineered drawings of the proposed SuDS features including their location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling to ensure the scheme caters for

all rainfall events up to and including the 1 in 100 year + 40% allowance for climate change event.
5. Provision of half drain down times within 24 hours.
6. Details on silt management, ensuring the protection of infiltration as a means of discharge.
7. Demonstrate appropriate SuDS management and treatment and inclusion of above ground features such as permeable paving, swales etc. for the paved areas ensuring the lack of requirement for any underground storage.

Reason: To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site in accordance with North Hertfordshire Local Plan Strategic Objective ENV4 and Policy SP11 and NE7, and Section 14 of the NPPF 2021.

24. Upon completion of the drainage works for the site and in accordance with the timing / phasing arrangements, the following must be submitted to and approved in writing by the Local Planning Authority (for each phase):

1. Provision of a verification report (appended with substantiating evidence demonstrating the approved construction details and specifications have been implemented in accordance with the surface water drainage scheme). The verification report shall include photographs of excavations and soil profiles/horizons, installation of any surface water structure (during construction and final make up) and the control mechanism.
2. Provision of a complete set of as built drawings for site drainage.
3. A management and maintenance plan for the SuDS features and drainage network.
4. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.

Reason: To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site in accordance with North Hertfordshire Local Plan Strategic Objective ENV4 and Policy SP11 and NE7, and Section 14 of the NPPF 2021.

Waste and Minerals

25. Prior to the commencement of development apart from enabling and associated works, a Site Waste Management Plan (SWMP) shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Waste Planning Authority. The SWMP should aim to reduce the amount of waste being produced on site and should contain information including estimated and actual types and amounts of waste removed from the site and where that waste is being taken to. The development shall be carried out in accordance with the approved details.

Reason: To seek to reduce waste from the site, both during and after construction, in accordance with Policies 1, 2 and 12 of the adopted Hertfordshire Waste Core Strategy and Development Management Policies Development Plan Document 2012.

Allotments – reserved matter

26. Any reserved matters applications which incorporate allotment provision shall where appropriate include the following details:
    a) A plan of the allotments, principles of plot layout and design providing for a range of plot sizes designed to allow flexibility to meet the needs of future plot holders; areas for communal storage of, for example, manure and compost;
    b) Proposed management arrangements;
    c) Access and parking arrangements to allow easy and safe access to the allotments;
    d) Boundary treatment, including security arrangements for the allotments;
    e) Water supply, including use of stored rainwater and SuDS for watering crops.

The provision of allotments shall be carried out in accordance with the approved details and in accordance with the approved phasing programme.

Reason: To ensure that appropriate allotments are provided in relation to the development of the site in accordance with North Hertfordshire Local Plan Policy NE6.

Lighting – reserved matter

27. No development shall commence within a development phase until the artificial lighting scheme for that development phase has been approved in writing by the Local Planning Authority. The approved lighting scheme for that phase shall be installed, maintained and operated in accordance with the approved details / measures for that phase unless the Local Planning Authority gives its written consent to any variation.

Reason: To protect the character and appearance of the area and the amenity of existing and future residential properties in accordance with NPPF paragraphs 120 and 125 and North Hertfordshire Local Plan Policy D3.

Waste and recycling collection – reserved matter

28. Any reserved matters application pursuant to this outline permission for a development phase shall provide full details of the on-site storage facilities for waste including waste for recycling and/or composting. Such details shall identify the specific positions of where wheeled bins will be stationed, and the specific arrangements to enable collection from within 15m of the kerbside of the adopted highway/refuse collection vehicle access point and walk distances for residents. The approved facilities shall be provided prior to the commencement of the use hereby permitted and shall be retained thereafter unless alternative arrangements are agreed in writing by the local planning authority.
Reason – To facilitate refuse and recycling collections, and to protect the amenities of nearby residents/occupiers and in the interests of visual amenity in accordance with North Hertfordshire Local Plan Policies D1 and D3.

Landscape – reserved matter

29. All reserved matters applications for any development parcel or sub-phase shall include the follow design details:

Soft Landscape

a) Details of trees, hedgerows, habitats, ponds and other natural features it is proposed to retain or remove and details of how they will be protected during the construction phase. Such details to include the tree protection measures in accordance with BS5837:2012.
b) Full details of planting plans and written specifications, including cultivation proposals for maintenance and management associated with plant and grass establishment, details of the mix, size, distribution, density and levels of all trees/hedges/shrubs to be planted and the proposed time of planting. The planting plan shall use botanic names to avoid misinterpretation. The plans should include a full schedule of plants;
c) 1:100 plans (or at a scale otherwise agreed) with cross-sections of mounding, ponds, ditches and swales and proposed treatment of the edges and perimeters of each development phase;
d) The landscape treatment of roads (primary, secondary, tertiary and green) through each development phase;
e) A specification for the establishment of trees within hard landscaped areas including details of space standards (distances from buildings etc.), tree pit details and details of the species, number and spacing of trees and shrubs;

f) The planting and establishment of structural landscape to be provided in advance of all or specified parts of the site as appropriate;
g) Full details of any proposed alterations to existing watercourses/drainage channels and details of any water features;
h) Details and specification of proposed earth modelling, mounding, re-grading and/or embankment areas or changes of level across the site to be carried out including soil quantities, topsoil storage to BS 3882 : 2007, haul routes, proposed levels and contours to be formed, sections through construction to show make-up, and timing of works;
i) A specification for the Topsoil Strip, storage, re-spread and remediation in accordance with Defra : Construction Code of Practice for the Sustainable Use of Soils on Construction Sites.

Hard Landscape

j) Full details, including cross-sections, of all bridges and culverts;
k) The location and specification of minor artefacts and structures, including furniture, refuse or other storage units, signs and lighting columns/brackets;
l) Details of fencing along the northern boundary alongside the railway line;
m) 1:200 plans (or at a scale otherwise agreed) including cross sections, of roads, paths and cycleways;
n) Details of all hard surfacing materials (size, type and colour).

No subsequent alterations to the approved landscape details are to take place unless submitted to and approved in writing by the Local Planning Authority. The landscape within each Development Phase shall be implemented in accordance with the approved landscape details for that Development Parcel or Strategic Engineering and Landscape Element.

Reason: In the interests of the amenity of residents and to ensure that a detailed approach to the development of the built-up area (or parcels thereof) is agreed, in order to safeguard the setting of the site and its surroundings, and to ensure a suitable relationship and integration of the built development with its surroundings in accordance with the North Hertfordshire Local Plan Policies SP9, SP17, NE2 and NE6.

Open Space Management and Maintenance

30. Prior to or concurrent with the first reserved matters submitted in each phase identified in Condition 6 a detailed Open Space Management and Maintenance Scheme for the management and maintenance of all areas of open space (to include parks, greenways, allotments, play areas, informal open space, semi-natural green space, public squares) shall be submitted to and agreed in writing by the Local Planning Authority and implemented in accordance with an agreed timetable and phasing strategy approved under condition 6. Details to be submitted shall include:

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

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

Reason: To ensure adequate open space and amenity provision as per North Hertfordshire Local Plan Policy NE6.

Proactive Statement:

Planning permission has been granted for this proposal. The Council acted proactively through positive engagement with the applicant at the pre-application stage and 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.

Informatives:

Affinity water

The construction works and operation of the proposed development site should be done in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the groundwater pollution risk. It should be noted that the construction works may exacerbate any existing pollution. If any pollution is found at the site, then the appropriate monitoring and remediation methods will need to be undertaken.

Any works involving excavations below the groundwater table (for example, piling or the implementation of a geothermal open/closed loop system) should be avoided. If these are necessary, a ground investigation should first be carried out to identify appropriate techniques and to avoid displacing any shallow contamination to a greater depth, which could impact the aquifer.

For further information we refer you to CIRIA Publication C532 "Control of water pollution from construction - guidance for consultants and contractors".

Water efficiency
Being within a water stressed area, we expect that the development includes water efficient fixtures and fittings. Additional measures such as rainwater harvesting and grey water recycling help the environment by reducing pressure for abstractions. They also minimise potable water use by reducing the amount of potable water used for washing, cleaning and watering gardens. This in turn reduces the carbon emissions associated with treating this water to a standard suitable for drinking and will help in our efforts to get emissions down in the borough.

Infrastructure, connections and diversions
It is noted that the applicant has had contact with our Developer Services Team prior to the submission of this application, as set out in the submitted utility statement.

There are potentially water mains running through or near to the proposed development site. If the development goes ahead as proposed, the applicant/developer will need to get in contact with our Developer Services Team to discuss asset protection or diversionary measures. This can be done through the My Developments Portal (https://affinitywater.custhelp.com/) or aw_developerservices@custhelp.com.

Due to its location, Affinity Water will supply drinking water to the development if it is constructed. Should planning permission be granted, the applicant is also requested to contact Developer Services as soon as possible regarding supply matters due to

the increased demand for water in the area resulting from this development.

To apply for a new or upgraded connection, please contact our Developer Services Team by going through their My Developments Portal (https://affinitywater.custhelp.com/) or aw_developerservices@custhelp.com. The Team also handle C3 and C4 requests to cost potential water mains diversions. If a water mains plan is required, this can also be obtained by emailing maps@affinitywater.co.uk. Please note that charges may apply.

Environmental Health Informatives

During the demolition and construction phase the guidance in BS5228-1:2009 (Code of Practice for noise Control on construction and open sites) should be adhered to.

The EP Team has a web-page that aims to provide advice to developers, which includes a copy of a Planning Advice Note on “Development on Potentially Contaminated Land and/or for a Sensitive Land Use” in use across Hertfordshire and Bedfordshire. This can be found on www.north-herts.gov.uk by searching for contaminated land

Waste and Recycling Informative

Further advice on waste provision for developments is available on our website. http://www.north-herts.gov.uk/home/planning/waste-and-recycling-provision this included details of the required capacity at each property.

Dropped kerbs should be provided to allow for ease of movement of bins to the collection vehicle and the pathway should be 1.5m in width taking the most direct route avoiding passing parked cars.

Storage areas should be conveniently located with easy access for residents - residents should not have to take their waste and recycling more than 30 metres to a bin storage area, or take their waste receptacles more than 25 metres to a collection point, (usually kerbside) in accordance with Building Regulations Approved Document H Guidance.

For flats, bins should be ordered direct from the Council's contractor 10 weeks in advance of first occupation to ensure they arrive in time for the first residents moving in.

For houses, bins should be ordered direct from the Council's contractor 2 weeks in advance of first occupation to ensure they arrive in time for the first residents moving in.

Pull distances from the storage point to the collection point should not be within close proximity to parked cars.

The applicant should note that collections occur from the kerbside and residents will be required to present their bins in this location on collection day.

Consideration should be given to parking arrangements alongside or opposite the access to individual streets. If car parking is likely in the vicinity of junctions then parking restrictions may be required to ensure access is not inhibited.

Separate internal storage provision for waste should be provided in kitchen areas to support the recycling of different waste streams to support the National Planning Policy for Waste's requirements to support driving waste up the waste hierarchy.

The surface to the collection point should be uninterrupted, level with no gravel or similar covering, and have a width to enable the easy passage of wheeled bins. For two-wheeled bins

this should be 1 metre for four-wheeled bins this should be 1.5 metres wide (including doorways), with a maximum gradient of 1:12.

We do not advise the use of bin compactors, as they often cause excessive damage to bins or cause waste to get stuck inside bins. If bin compactors are used on site you should advise your waste collection contractor. Large scale waste compactors may be appropriate for industrial units.

For flats and commercial properties:-

Doors to bin stores should be sufficient in widths to allow the movement of bins at their widest and prevent entrapment of limbs. This is likely to be a minimum of 20cm in addition to the widest bin contained in the bin store.

Walls and doors should have protection strips to prevent damage and a mechanism for holding doors open should be available. Doors should ideally be keypad entry or standard fire brigade keys. We do not support the use of electronic key fobs.

Bins in communal bin stores should be manoeuvrable to the refuse collection vehicle without the need to move other bins.

EV Charging Point Specification:

A charging point shall be installed by an appropriately certified electrician/electrical contractor in accordance with the following specification. The necessary certification of electrical installation should be submitted as evidence of appropriate installation to meet the requirements of Part P of the most current Building Regulations.

Cable and circuitry ratings should be of adequate size to ensure a minimum continuous current demand for the vehicle of 16A and a maximum demand of 32A (which is recommended for Eco developments)

- A separate dedicated circuit protected by an RBCO should be provided from the main distribution board, to a suitably enclosed termination point within a garage or an accessible enclosed termination point for future connection to an external charge point.
- The electrical circuit shall comply with the Electrical requirements of BS7671: 2008 as well as conform to the IET code of practice on Electric Vehicle Charging Equipment installation 2012 ISBN 978-1-84919-515-7 (PDF). This includes requirements such as ensuring the Charging Equipment integral protective device shall be at least Type A RCD (required to comply with BS EN 61851 Mode 3 charging).
- If installed in a garage all conductive surfaces should be protected by supplementary protective equipotential bonding. For vehicle connecting points installed such that the vehicle can only be charged within the building, e.g. in a garage with a (non-extended) tethered lead, the PME earth may be used. For external installations the risk assessment outlined in the IET code of practice must be adopted, and may require additional earth stake or mat for the EV charging circuit. This should be installed as part of the EV ready installation to avoid significant on cost later.
- A list of authorised installers (for the Government's Electric Vehicle Homecharge Scheme) can be found at https://www.gov.uk/government/organisations/office-for-low-emission-vehicles
- Part S

Network Rail:

Drainage
We ask that all surface and foul water drainage from the development area be directed away from Network Rail's retained land and structures into suitable drainage systems, the details of which are to be approved by Network Rail before construction starts on site.

Water must not be caused to pond on or near railway land either during or after any construction-related activity.

The construction of soakaways for storm or surface water drainage should not take place within 20m of the Network Rail boundary. Any new drains are to be constructed and maintained so as not to have any adverse effect upon the stability of any Network Rail equipment, structure, cutting or embankment.

The construction of soakaways within any lease area is not permitted.

The construction of surface water retention ponds/tanks, SuDS or flow control systems should not take place within 20m of the Network Rail boundary where these systems are proposed to be below existing track level. Full overland flow conditions should be submitted to Network Rail for approval prior to any works on site commencing.

The construction of surface water retention ponds/tanks, SuDS or flow control systems should not take place within 30m of the Network Rail boundary where these systems are proposed to be above existing track level. Full overland flow conditions should be submitted to Network Rail for approval prior to any works on site commencing.

If a Network Rail-owned underline structure (such as a culvert, pipe or drain) is intended to act as a means of conveying surface water within or away from the development, then all parties must work together to ensure that the structure is fit for purpose and able to take the proposed flows without risk to the safety of the railway or the surrounding land.

Wayleaves and or easements for underline drainage assets
The position of any underline drainage asset shall not be within 5m of drainage assets, sensitive operational equipment such as switches and crossings, track joints, welds, overhead line stanchions and line side equipment, and not within 15m of bridges, culverts, retaining walls and other structures supporting railway live loading.

Protection of existing railway drainage assets within a clearance area
There are likely to be existing railway drainage assets in the vicinity of the proposed works. Please proceed with caution.
No connection of drainage shall be made to these assets without Network Rail's prior consent to detailed proposals. Any works within 5m of the assets will require prior consent.
There must be no interfering with existing drainage assets/systems without Network Rail's written permission.
The developer is asked to ascertain with Network Rail the existence of any existing railway drainage assets or systems in the vicinity of the development area before work starts on site. Please contact Matthew Shelton (matthew.shelton@networkrail.co.uk) for further information and assistance.

Fail Safe Use of Crane and Plant
All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a "fail safe" manner such that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0m of the nearest rail of the adjacent railway line, or where the railway is electrified, within 3.0m of overhead electrical equipment or supports.

Excavations/Earthworks
All excavations/ earthworks carried out in the vicinity of Network Rail property/ structures must be designed and executed such that no interference with the integrity of that property/ structure can occur. If temporary works compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details. Where development may affect the railway, consultation with the Asset Protection Project Manager should be undertaken. Network Rail will not accept any liability for any settlement, disturbance or damage caused to any development by failure of the railway infrastructure nor for any noise or vibration arising from the normal use and/or maintenance of the operational railway. No right of support is given or can be claimed from Network Rails infrastructure or railway land.

Security of Mutual Boundary
Security of the railway boundary will need to be maintained at all times. If the works require temporary or permanent alterations to the mutual boundary the applicant must contact Network Rail's Asset Protection Project Manager.

Fencing
Because of the nature of the proposed developments we consider that there will be an increased risk of trespass onto the railway. The Developer must provide a suitable trespass proof fence adjacent to Network Rail's boundary (minimum approx. 1.8m high) and make provision for its future maintenance and renewal. Network Rail's existing fencing / wall must not be removed or damaged.

Method Statements/Fail Safe/Possessions
Method statements may require to be submitted to Network Rail's Asset Protection Project Manager at the below address for approval prior to works commencing on site. This should include an outline of the proposed method of construction, risk assessment in relation to the railway and construction traffic management plan. Where appropriate an asset protection agreement will have to be entered into. Where any works cannot be carried out in a "fail-safe" manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. "possession" which must be booked via Network Rail's Asset Protection Project Manager and are subject to a minimum prior notice period for booking of 20 weeks. Generally if excavations/piling/buildings are to be located within 10m of the railway boundary a method statement should be submitted for NR approval.

OPE
Once planning permission has been granted and at least six weeks prior to works commencing on site the Asset Protection Project Manager (OPE) MUST be contacted, contact details as below. The OPE will require to see any method statements/drawings relating to any excavation, drainage, demolition, lighting and building work or any works to be carried out on site that may affect the safety, operation, integrity and access to the railway.

Vibro-impact Machinery
Where vibro-compaction machinery is to be used in development, details of the use of such machinery and a method statement should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker prior to the commencement of works and the works shall only be carried out in accordance with the approved method statement

ENCROACHMENT

The developer/applicant must ensure that their proposal, both during construction, and after completion of works on site, does not affect the safety, operation or integrity of the operational railway, Network Rail and its infrastructure or undermine or damage or adversely affect any railway land and structures. There must be no physical encroachment of the proposal onto Network Rail land, no over-sailing into Network Rail air-space and no encroachment of foundations onto Network Rail land and soil. There must be no physical encroachment of any foundations onto Network Rail land. Any future maintenance must be conducted solely within the applicant's land ownership. Should the applicant require access to Network Rail land then must seek approval from the Network Rail Asset Protection Team. Any unauthorised access to Network Rail land or air-space is an act of trespass and we would remind the council that this is a criminal offence (s55 British Transport Commission Act 1949). Should the applicant be granted access to Network Rail land then they will be liable for all costs incurred in facilitating the proposal.

Noise/Soundproofing
The Developer should be aware that any development for residential use adjacent to an operational railway may result in neighbour issues arising. Consequently every endeavour should be made by the developer to provide adequate soundproofing for each dwelling. Please note that in a worst case scenario there could be trains running 24 hours a day and the soundproofing should take this into account.

Trees/Shrubs/Landscaping
Where trees/shrubs are to be planted adjacent to the railway boundary these shrubs should be positioned at a minimum distance greater than their predicted mature height from the boundary. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary. We would wish to be involved in the approval of any landscaping scheme adjacent to the railway. Where landscaping is proposed as part of an application adjacent to the railway it will be necessary for details of the landscaping to be known and approved to ensure it does not impact upon the railway infrastructure. Any hedge planted adjacent to Network Rail's boundary fencing for screening purposes should be so placed that when fully grown it does not damage the fencing or provide a means of scaling it. No hedge should prevent Network Rail from maintaining its boundary fencing. Lists of trees that are permitted and those that are not permitted are provided below and these should be added to any tree planting conditions:

Acceptable: Birch (Betula), Crab Apple (Malus Sylvestris), Field Maple (Acer Campestre), Bird Cherry (Prunus Padus), Wild Pear (Pyrs Communis), Fir Trees – Pines (Pinus), Hawthorne (Cretaegus), Mountain Ash – Whitebeams (Sorbus), False Acacia (Robinia), Willow Shrubs (Shrubby Salix), Thuja Plicatat "Zebrina"
Not Acceptable: Acer (Acer pseudoplantanus), Aspen – Poplar (Populus), Small-leaved Lime (Tilia Cordata), Sycamore – Norway Maple (Acer), Horse Chestnut (Aesculus Hippocastanum), Sweet Chestnut (Castanea Sativa), Ash (Fraxinus excelsior), Black poplar (Populus nigra var, betulifolia), Lombardy Poplar (Populus nigra var, italica), Large-leaved lime (Tilia platyphyllos), Common line (Tilia x europea)
A comprehensive list of permitted tree species is available upon request.

Lighting
Where new lighting is to be erected adjacent to the operational railway the potential for train drivers to be dazzled must be eliminated. In addition the location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway. Detail of any external lighting should be provided as a condition if not already indicated on the application.

Access to Railway
All roads, paths or ways providing access to any part of the railway undertaker's land shall be kept open at all times during and after the development.

Children's Play Areas/Open Spaces/Amenities
Children's play areas (including in this instance the school playing field), open spaces and amenity areas must be protected by a secure fence along the boundary of one of the following kinds, concrete post and panel, iron railings, steel palisade or such other fence approved by the Local Planning Authority acting in consultation with the railway undertaker to a minimum height of 1.8 metres and the fence should not be able to be climbed.

Network Rail is required to recover all reasonable costs associated with facilitating these works.

Highway Authority:

HCC as Highway Authority recommends inclusion of the following Advisory Note (AN) to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980.

AN1) 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 website: https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx

AN2) 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 works commence. Further information is available via the website: https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business- and-developer-information/development-management/highways-development-management.aspx

AN3) 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/business-and-developer-information/development-management/highways-development-management.aspx

ITEM NO:		
	Location:	**Land North of Highover Farm to Stotfold Road Highover Way, Hitchin**
	Applicant:	**BDW Trading Ltd**
	Proposal:	**Outline application with all matters reserved other than access, comprising residential led development of up to 700 dwellings of use class C3 (dwellings), approximately 500 sqm of neighbourhood-level facilities, a new 2FE primary school, open space, play space, green infrastructure, and associated accesses (vehicular, pedestrian and cycle), including a new primary access off Stotfold Road with limited access off High Dane (as amended by plans and documents received 6th,13th and 29th January 2020, 4th, and 20th February 2020, 8th September 2020 and 17th, 20th and 21st December 2021 and January 2023).**
	Ref. No:	**18/01154/OP**
	Officer:	**Sarah Kasparian**

Date of expiry of statutory period: 18 September 2018

Extension of statutory period: 31 August 2023

Reason for Delay

Application was deferred from Planning Control Committee on 6 July 2023 pending further transport information.

Reason for Referral to Committee

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

4.0 Site History

4.1 This Planning Control Committee Report follows on from another Report to Committee on 6 July 2023 recommending that planning be granted for Outline Planning Permission subject to conditions and a suitable Section 106 agreement. That Report is appended to this Report in Appendix A for ease of reference and should be read together.

4.2 The scope of the Report is limited to consider the reasons for deferral of the application from Planning Control Committee on 6 July 2023 and the submission of further information to support the application. From the Minutes of that PCC (Appendix 2) it was '*resolved that application 18/01154/OP be deferred outline planning permission to allow a review and update of the submitted Transport Assessment in order to address*

the cumulative impact of recent housing development in Hitchin on the road network and provide more detail of transport mitigation measures.'

5.0 **Policies**

2.1 **North Hertfordshire District Local Plan 2011 – 2031**

Policy SP1: Sustainable Development in North Hertfordshire
Policy SP6: Sustainable transport
Policy SP7: Infrastructure requirements and developer contributions
Policy SP17: Site HT1 'Highover Farm, Hitchin
Policy T1: Assessment of transport matters

2.2 **Supplementary Planning Documents**
Developer Contributions SPD 2023

2.3 **National Planning Policy Framework updated 2023**
Section 9: Promoting sustainable transport

2.4 **Hertfordshire County Council**
Local Transport Plan (LTP4 – adopted May 2018)

6.0 Representations

Statutory Consultees

3.1 **HCC Highways** – No objection, subject to conditions and s106 obligations as set out in Appendix 1

3.2 **National Highways** – No objection

3.3 **County Archaeologist** – The County were consulted on a submitted Written Scheme of Investigation, which was the subject of a proposed condition in Appendix 1. Given the applicant has prepared a WSI and the County Archaeologist is content with its content, there is no need for a condition to have a WSI approved. The condition has been replaced with wording to secure the appropriate implementation of the agreed WSI.

3.4 **Neighbour and Local Resident Representations**

The application has been advertised via letters to 758 neighbours and a press notice. At the time of finalising this report and in addition to those representations reported at PCC on 6 July 2023, a further 42 comments have been received. Comments relate principally to transport matters as requested in the consultation letter, but raising some other matters which are summarised at the end of this section. These are not considered in this report as they have all been previously considered in the committee report dated 6 July 2023.

3.5 The objections and the issues raised are as follows and will be addressed in the remainder of this Committee Report:

Cumulative Impact comments:

- Flawed traffic data - why have specific days been chosen rather than a mean over several days? Why were evening data collections started at 4pm, missing some of the school run? Also, comparison between 2017 and 2022 is flawed as traffic at the end of

July is different to that at the start of the month. May 2022 was considered to still be in the aftermath of the pandemic and so data from then should not be used. Year were chosen for comparison which are not reflective of the real situation
- Para 2.2.4 figures generated as a result of North Herts College development look intuitively too small
- Para 3.3.4 questions suitability of Map and June assessments which are during exam times for school
- It did not include measuring the traffic at various different times of the day
- Table 3.1/para 3.3.5 reductions appear 'within bounds of normal fluctuations' prefer to see surveys from consecutive days; no ref to -49% in supporting text; comments regarding the decline in PM peak period – what is the reasons, forecast changes to future working patterns and need more data to compare and predict
- The largest comparable site for TRICs data is 195 units which is significantly smaller than the application site; the railway bridges are a barrier to movement of pedestrians and cyclists which increases car movements; and do trip rates include deliveries, gardeners, etc?
- Regarding the school site, the site will generate some additional traffic due to teachers/staff arriving/departing the site
- Noting the traffic report which was presumably undertaken during school holidays and is not considered to be a true assessment
- Argument that there will be 'significant' impact on the volume of traffic
- Assessment doesn't take into account cumulative impact of development from Fairfield, Arlesey and Stotfold
- Inappropriate comparison to other sites which were unlike the Highover Farm site in number, in development and nature
- No updated traffic survey
- There should be no addition to the impact on the roads
- Request for independent transport assessment

Mitigation measures:
- The traffic lights mentioned will make it even harder get out with build-up of cars
- Existing infrastructure for pedestrians and cyclists is insufficient
- Need safe and sustainable routes into Hitchin such as a safe cycle path and infrastructure
- Lack of space on existing roads for new cycle infrastructure
- Wheelchair access required from the site to the town centre
- Unconvinced that HCC Highways have provided sufficient certainty that the monies identified for offsite improvements are adequate
- Bus services have been reduced since undertaking the assessment
- Solution is to build a relief road from Cadwell lane and/or Wilbury way to Stotfold Road, significantly reducing the industrial traffic to/from these industrial estates from going via Grove/Woolgrove/A505
- Generic funding for mitigation but with no breakdown in detail of funding making it impossible to judge if there was enough funding for mitigation.
- People won't cycle up Stotfold Road due to topography
- Important that the outline permission is not granted until the figure for a commuted sum toward such measures is properly considered and accepted
- Traffic lights at Woolgrove road / Cambridge Road needs to improved
- The constraints of the two local railway bridges represent a significant barrier
- Concern that heavy commercial vehicles that have to use the central position under Woolgrove Road bridge will impact, together with the curvature of the road, the proposed width of the footpath and potential for cyclists to travel alongside.
- Note the high pressure gas main under the railway bridge could be a constraint

- Suggests that signalising under the bridge and the Grove Road crossroad will cause longer traffic queues especially at peak times
- Suggests that fundamental improvements needs to be made to Hitchin to improve the town and prepare for developments such as these
- It was a condition of the North Herts College development to contribute to Hitchin station eastern access project, for which 'nothing has happened'
- Approval plans should show off site improvements

Other Transport comments raised, which were considered in the Committee Report in Appendix 1:

- Little updated detail to address the deferral of the last committee meeting
- Application should have been assessed by Active Travel England (Officer note: ATE not a required consultee on this application as it was submitted before the requirement)
- The site is overall unsustainable due to the need for most people to use the car between Hitchin and Letchworth, ref NPPF para 34 for developments to be located where sustainable transport can be maximised
- Visibility along Stotfold Road is very difficult with the topography and speeding cars
- Cars on Stotfold Road most days during rush hour are at a standstill, and problems with the mini-roundabout (Grovelands Avenue?)
- There is no local neighbourhood near the site, so the A505 would be a required route for everyone to access supermarkets and critical facilities in the town which are 2 miles away, creating a severe impact on the road network
- Letchworth and Hitchin stations are too far to walk, residents on Highover Farm will be car dependant
- Millary Way will become a 'rat run' and concern for pedestrian safety
- Stotfold Road is already extremely busy, there are often accidents
- Congestion from High Dane onto Woolgrove Road in morning peak
- Woolgrove Road is congested and at a 'standstill' especially at peak times and the road under the bridge is not 'fit for purpose'
- Negative impact on Cambridge Road and Walsworth crossroads Walsworth which is already a 'bottleneck'
- Despite 'limited access' to High Dane, any access would put further pressure on Woolgrove Road
- Existing traffic pressure of Cambridge Road junction with Woolgrove Road is unsustainable.
- Both bridges are very narrow and cannot cope now with amount of traffic
- The roads into Hitchin are overcrowded due to the expansion of house development in the villages including Arlesey, Stotfold and Clifton
- It doesn't take much for the roads to be gridlocked
- The lack of access to and from the site would restrict all emergency services.
- Proposals do not take into account proposed development north and west of the town
- Plans look worse compared to previous versions with an increased negative impact on High Dane/Sturgeons Way; Concern about parked cars along High Dane, repair of potholes, safety of children and construction vehicles
- Concern over 'rat run' between Stotfold Road and High Dane

Other comments raised, which were considered in the Committee Report in Appendix 1:

- No need for new housing; existing overcrowding
- Enough housing development in nearby towns (Letchworth and Central Beds)
- Woolgrove Road and Cambridge Road crossroads susceptible to flooding
- Site should remain as valuable agricultural land
- Reduction of green space between Hitchin and Letchworth

- There is a need for more housing which is supported in principle, but the infrastructure must be in place to support new housing so that new and existing residents are accommodated not just in terms of a home but also a community, services and access
- Concern over noise and air pollution of increased traffic
- Development should contribute to affordable housing
- Lack of secondary school provision, GP, dentist and medical provision
- Concern about the water supplies and sewerage infrastructure in the area
- Impact on wildlife and need for updated assessment
- Comments regarding lack of consultation to all residents and limited time to respond

5.0 **Planning Considerations**

4.1 Site and Surroundings

1.1.5 See previous description in Appendix 1.

4.2 Proposal

4.2.1 This is an outline planning application with all matters reserved other than access to the site.

4.2.2 Development proposals comprise residential led development of up to 700 dwellings of use class C3 (dwellings), approximately 500 sqm of neighbourhood-level facilities, a new 2FE primary school, open space, play space, green infrastructure, and associated accesses (vehicular, pedestrian and cycle).

4.2.3 The proposals include a new primary vehicular access off Stotfold Road with limited access off High Dane. The development will be phased and subject to future application(s) for reserved matters.

4.2.4 Plans and documents have been amended as of January 2020, February 2020, September 2020, December 2021 and January 2023. Since the PCC meeting on 6th July 2023 the applicant has also submitted an ES Supplementary Note accompanied by an Appendix known as a Supplementary Transport Note (STN).

4.2.5 The application is supported by the following plans and supporting documents, which has been updated as per the update sheet to PCC dated 4 July 2023:

- Updated Strategic Masterplan Framework Document (dated 4 May 2023)
- Updated Planning Statement (December 2021)
- Updated Design and Access Statement (January 2023)
- Sustainability Statement (April 2018)
- Phase 1 Environmental Risk Assessment (July 2017)
- Utilities Statement (September 2017)
- Indicative Housing Mix Note December 2019)
- Statement of Community Involvement (April 2018)

- PL1685-PLA-00-XX-DR-U-001 S4 Rev P02 Site Location plan
- 19604 Topographical Survey Sheets 1-5

- PL1685-PLA-00-XX-DR-U-002-S4-P01 Movement and Access Framework Plan
- PL1685-PLA-00-XX-DR-U-007-S4-P05 Urban Framework Plan
- PL1685-PLA-00-XX-DR-U-015-S4-P01 Biodiversity and Landscape Framework Plan

- PL1685-PLA-00-XX-DR-U-016-S4-P01 Density and Building Heights Framework Plan
- PL1685-PLA-00-XX-DR-U-017-S4-P01 Land Use Framework Plan
- PL1685-PLA-00-XX-DR-U-018-S4-P01 Development Areas Framework Plan
- PL1685-PLA-00-XX-DR-U-103-S4-P01 Green Infrastructure Plan
- PL1685-PLA-00-XX-DR-U-108-S2-P04 Character Areas Framework Plan
- NTS2d Illustrative Masterplan

- 62240435-TAA-DP-100-001 P09 General Arrangement
- 62240435-TAA-DP-100-002 P12 Stotfold Road Proposed Access
- 62240435-TAA-DP-100-003 P10 High Dane Proposed Access
- 62240435-TAA-DP-100-004 P10 Highover Way Proposed Access
- 62240435-TAA-DP-100-005 P08 Stotfold Road Cycle-Footpath Access
- 62240435-TAA-DP-100-006 P09 Armour Rise Cycle-Footpath Access
- 62240435-TAA-DP-100-007 P10 Collinson Close Cycle-Footpath Access
- 62240435-TAA-DP-100-008 P11 Stotfold Road Cycle-Footpath Improvements
- 62240435-TAA-DP-100-009 P10 Treatment of Stotfold Road
- 62240435-TAA-DP-100-013 P08 Typical Spine Road/Avenue Junctions and Tracking
- 62240435-TAA-DP-100-014 S P07 Spine Road/Avenue Movement Restriction

4.2.6 The application is also accompanied by the Environmental Statement with various updates having been undertaken as set out in the Report in Appendix 1.

4.5 Legal basis of determining the Planning application

4.5.1 Members will be familiar with the standard legal advice that is set out at the end of each planning Control Committee report which advises that legislation requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. This approach was developed within Section 54A of the Town and Country Planning Act 1990 (as amended). It is also re-emphasised within Section 38(6) of the Planning and Compensation Act 2004, which reads as follows:

4.5.2 '*if regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise'*.

5. Key Issues

5.1 In addition to the Report in Appendix 1, the key issue for consideration of this application is twofold:

- the cumulative impact of recent housing development in Hitchin on the road network; and
- provide more detail of transport mitigation measures.

5.10 Cumulative impact on the road network

5.10.1 Paragraph 110 of the NPPF 2023 states that *'In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that: d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.*'

5.10.2 The NPPF also sets a high bar in terms of grounds to refuse an application on highway matters: Para 111 states that *'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'.*

5.10.3 NHLP Policy T1 on Assessment of Transport Matters states that '*Planning permissions will be granted provided that a) development would not lead to highway safety problems or cause unacceptable impacts upon the highway network'.*

5.10.4 The Highway Authority and National Highways were both reconsulted on the Supplementary Transport Note and Addendum to the Environmental Statement submitted in response to the key issues for consideration.

5.10.5 National Highways continue to raise no objection to the proposed development and its impact on the strategic road network.

5.10.6 The Highway Authority has also examined the additional information and concluded that the additional information presented supports the TA and demonstrates it remains a robust assessment. The Highway Authority aided the applicant in scoping the information that would help satisfy the reasons for deferral. This information included updated traffic flows using more recent data to compare to the data collected in 2018 as a 'sense-check'. The Highway Authority provided the applicant with the most up to date data from manual counts, ATC counts and signposting to DfT count data.

5.10.7 Comments were received by members of the public regarding the timing of additional traffic counts. The Highway Authority have reviewed these comments and provided the following feedback that: Thursday is considered to be a neutral day, as well as the months of May and June, despite potential for changes to traffic due to 'exam season'. It was agreed that May 2022 was still in the aftermath of the Covid pandemic and so results need to be assessed in that light. Regarding TRICS data the purpose it to broadly select sites which reflect the population, car ownership, location and size, it does not have to match exactly but provide a basis for forecasting.

5.10.8 Regarding the school site and commercial floorspace, it is anticipated in the TA that '*the primary school and the local centre which are intended to serve the proposed development will therefore have a negligible external trip ends and have not been considered as part of the trip generation for the site'*. A suitable travel plan for both residential and the school site, is a requirement of any planning permission should this application be granted, together with a contribution to HCC for the monitoring of such a travel plan.

5.10.9 Lastly on comments from the public, the applicant also noted an error in a calculation during the consultation period, which was corrected, and information passed back to Officers and the Highway Authority, but did not make a change to the conclusion of the STN. Overall, the Highway Authority are content that the data is robust, the comparisons are helpful and that the update is helpful in supporting the original TA.

5.10.10 The conclusion of the Highway Authority on traffic flows is that '*on balance, network flows may be considered to be lower in 2023 than when compared to the flows as presented'* previously. This demonstrates that the original assessment, although being 5-6 years old is a robust assessment and based on a worst-case scenario on the impact of the development on traffic.

5.10.11 Regarding cumulative impact from other developments, between the Local Planning Authority and Highway Authority a list of sites that received planning

permission since 2018 for new housing of more than 10 units ('major' applications) was scoped in. This included 116 units at North Herts College, 28 units at Westons Motors Ltd, 107 units at John Barker Place and 53 units at Minsden Old Peoples Home. These include all in the closest proximity to the site that have been granted planning permission since the TA for Highover Farm. Also, some of these developments have commenced but are not yet occupied or fully occupied, and it is fair to assume that their traffic impacts are not yet seen in existing traffic flows. The information on these sites have been extracted from the approved Transport Assessments / Transport Statements submitted with those planning applications and input into the TA for Highover Farm which builds a model of what the traffic impact would be.

5.10.12 The Highway Authority conclude that *'the analysis demonstrates that the committed/new developments are not of sufficient magnitude to precipitate a material impact on the network over and above the assessments already concluded'*. This reflects the applicant's conclusion that '*the cumulative impact of the Proposed Development (taking into account the additional sites) is considered low and the residential cumulative impact on the evaluated junctions is regarded as inconsequential and not severe in the context of the NPPF Paragraph 111*'.

5.10.13 It is worth noting that although sites allocated in the Local Plan along the west side of Hitchin (HT3, HT5 and HT6) with a total of 116 units, have not been included in this scoping these numbers were included in traffic modelling in the preparation of the Local Plan, which has been examined in public and adopted. This is the same principal for large housing developments in the other towns in the district, particularly Letchworth for its close proximity, but also developments in places such as Stotfold in Central Beds which is all managed through the Local Plan preparation and the 'duty to cooperate' with neighbouring authorities (NPPF 2023 para 24).

5.10.14 Officers are satisfied that the applicant has demonstrated that the cumulative impact of more recent developments in the area will not have an unacceptable impact on highway safety, or that there would be a severe impact on the road network, in accordance with the NPPF 2023 or NHLP Policy T1.

5.11 **Mitigation measures**

5.11.1 The NPPF 2023 is clear on the type of mitigation required for developments that generate 'significant amounts of movement'. Para 112 requires all applications for development (among others) to:

5.11.1.1 'Give priority first to pedestrian and cycle movements…and second – so far as possible – to facilitating access to high quality public transport…'

5.11.1.2 'Address the needs of people with disabilities and reduced mobility in relation to all modes of transport'…

5.11.2 NPPF 2023 requires a travel plan to be submitted with applications for development that generate significant amounts of movement.

5.11.3 NHLP Policy SP6 on Sustainable Transport requires the applicant to '*seek the earliest reasonable opportunity to implement sustainable travel infrastructure on Strategic housing Sites and other development sites in order to influence the behaviour of occupiers or users*…'

5.11.4 NHLP Policy T1 also states that '*Planning permission will be granted provided that:…b) mechanisms to secure any necessary sustainable transport measures and / or improvements to the existing highway network are secured in accordance with Policy*

SP7; and d) for major developments, applicants demonstrate (as far as is practicable) how: i. the proposed scheme would be served by public transport…'

5.11.5 There are a range of mitigation measures already set out in the previous committee report in Appendix 1, which have been identified as being able to be delivered via various mechanisms in consultation with the Highway Authority.

5.11.6 There are several ways that the District Council can secure mitigation works for the traffic impact and promoting active travel, in consultation with the Highway Authority. This is a summary of the agreed position on mitigation measures and how they will be delivered:

Works associated with the development, secured by reserved matters, condition for S106:

5.11.6.1 Access from High Dane (vehicular, pedestrian, cycle and bus) (limited to 137 units) with traffic calming.

5.11.6.2 Access from Highover Way, Armour Rise and Collison Close (pedestrian and cycle)

5.11.6.3 Travel Plan (both Residential and School) and monitored by the County Council with a financial contribution from the applicant

5.11.6.4 Reduction in the speed limit along Stotfold Road

5.11.6.5 Provision of a shared footway/cycleway along Stotfold Road from the roundabout to the application site

Strand 1 – Section 278 works (paid in full by the developer and work approved and undertaken by HCC):

5.11.6.6 Bus service extension through the site together with vouchers for all new households for 3 months complimentary bus travel.

5.11.6.7 New toucan crossing over Stotfold Road

5.11.6.8 New path between Stotfold Road and the Letchworth Greenway (subject to application 22/00303/FP)

5.11.6.9 New path link from the Letchworth Greenway into The Highfield School

Strand 2 – Off-site works to improve safety and connectivity (paid to HCC who undertake feasibility, design, consultation and implementation based on identified projects in the town) (also set out in para 5.6.28 in Appendix 1):

5.11.6.10 PR41 Cycle facilities at Hitchin station including increased cycle parking

5.11.6.11 PR50 Improve pedestrian and cycle infrastructure where the rail lines cross Grove Road and Woolgrove Road

5.11.6.12 PR51 Hitchin northern loop bus services work with partners to improve bus service 81

5.11.6.13 PR55 Access to new development north of Hitchin – ensure high quality pedestrian and cycle access is provided through new development to the north of Hitchin to connect with routes to station, industrial estate, town centre and A505 North Hertfordshire Sustainable Spine

5.11.6.14 SM39 Eastern Entrance to Rail Station – provide an eastern entrance to the rail station in Hitchin, in order to make walking and cycling from eastern Hitchin more attractive, including safe and well signposted connections to the cycle network and cycle parking Consider improvements to pedestrian connectivity through the station

5.11.6.15 SM52 Continuous cycle routes with junction treatments including from Highover Farm site to the rail station, schools and the A505 sustainable spine

5.11.6.16 SM59 Continuous cycle route along A505 sustainable spine with new and improved junction/crossing facilities for cyclists

5.11.6.17 SM61 Cycle hub at Hitchin rail station including repair facilities, secure parking and cycle hire improvements to the pedestrian access to Hitchin station

5.11.7 During the Planning Control Committee meeting on 6 July 2023 Members discussed the level of detail given on mitigation measures to be secured with the funds that would be created by this development. It is standard practice for the Highway Authority to request a financial contribution, based on the number of units proposed and identify what projects it would be most relevant for.

5.11.8 Given the specific local concern about the suitability of the railway line and bridge over Woolgrove Road, the applicant has reviewed in detail the potential for works to the traffic system here. The problems raised are to do with the narrow footpath on one side of the road, which is prohibitive to people walking, cycling or those using wheelchairs or prams. There is also a problem with traffic connecting with the signalised junction with Grove Road/Cadwell Lane, as well as large vehicles, bridge strikes and hesitation of two cars being able to pass each other under the bridge.

5.11.9 There are limited ways of dealing with these problems, which is an existing problem and not entirely the responsibility for this development to address. One option in theory is to rebuild the railway bridge over Woolgrove Road with a wider aperture, but this would be hugely costly and would not provide the public benefit commensurate with the cost.

5.11.10 A more affordable option is to formalise the de fact shuttle system for motor vehicles passing under the bridge with traffic lights. This frees up space to widen the existing footway to create a less conflicted shared space for people walking and cycling. The applicant has looked at this in more detail and suggests a system would need to be signalised and coordinated with the main junction with Grove Road/Cadwell Lane and timed accordingly. Cycle priority can be designed into the lanes to promote safe and active travel. The traffic modelling undertaken shows that the system with signals will formalise the hesitation of drivers to pass alongside another car under the bridge. It will allow drivers to move confidently at the right time under the bridge in a coordinated way with the main junction. It will make the route much safer and pleasant for those on foot and encourage cyclists in a safe and priority environment. This is considered to be a key link between the application site and the town centre, even access to the railway station. The estimated costs (approx. £500k) involved in this level of work is within the scope of the contributions requested under Strand 2 and can be identified as a priority for Strand 2 money to contribute to. Comments received from the public note the presence of a high-pressure gas line. This will be addressed in the Highway Authorities work on feasibility and design of the scheme.

5.11.11 With regard to the wider picture of the town, the County Council currently have a range of proposed works planned for Hitchin. These are in response to matters raised by Members, the public and issues known to Highway Officers. The Highway Authority uses a range of funding streams to manage these projects themselves according to the complexity of each project.

5.11.12 Officers, in collaboration with the Highway Authority, have compiled a table which helps to provide an update on those projects set out above under Strand 2. The colours indicate the priority and likelihood of being able to deliver the scheme from this developments funding, with green being most likely and realistic:

Scheme ref.	Description	Work	Progress	Indicative work and costs

Scheme ref.	Description	Work	Progress	Indicative work and costs
PR50	Improve pedestrian and cycle infrastructure where the rail lines cross Grove Road and Woolgrove Road	Single lane/shuttle system under railway bridge with traffic signals coordinated with those at the junction with Grove Road, creating space for a wider shared-use path footpath	Initial feasibility work undertaken by applicant High priority for HT1	For full design and construction £425k-£475k (green)
SM91	Employment Area Connectivity – Grove Road between A505 Nightingale Road and the industrial estate to the north	This scheme connects with PR50 and provides onward connectivity for active travel to the town centre and (via Ransoms Park) the railway station.	Audited as part of the LCWIP High priority for HT1	Estimate £500k-£1m (green)
SM52	Cycle routes from Highover Farm to the rail station, schools and the A505	New foot and cycle path required under S278 along Stotfold Road with speed reduction; and traffic calming along High Dane New access points to the site for pedestrians and cyclists for permeable edge to the development New toucan crossing over Stotfold Road with extension to the Letchworth Greenway and link to Highfield School	High priority for HT1	All to be delivered under Strand 1 contributions (green)
SM38 and SM39	B656 Walsworth Road Pedestrian Priority Corridor	Provide a pedestrian priority corridor between Hitchin Rail Station and the town centre, including measures to improve pedestrian priority along the	Audited as part of LCWIP. Further validation work is ongoing, funded by DfT/Active Travel England.	For further feasibility work and public consultation SM38 £500k-£1m

Scheme ref.	Description	Work	Progress	Indicative work and costs
		corridor, footway widening as appropriate and wayfinding	High priority in relation to HT1	SM39 £500k-£1m (orange)
PR55	Access to new development north of Hitchin	Ensure high quality pedestrian and cycle access is provided through new development to the north of Hitchin to connect with routes to station, industrial estate, town centre and A505 North Hertfordshire Sustainable Spine	Initial scoping undertaken by HCC. Work required on options, feasibility and public consultation.	For further feasibility and public consultation Estimate £1m-£2.5m (orange)
SM59	A505 and B656 cycle route and junction treatment for cycle priority	To improve access by walking and cycling to Hitchin station from east of the railway line	HCC to undertake feasibility of A505 and B656 improvements for active travel High priority in relation to HT1	Scoping and feasibility work required £TBA (orange
		Hitchin Station eastern entrance	Study completed in 2022 to estimate cost of creating an eastern entrance via an extended pedestrian subway. HCC and NHDC currently co-funding a study to review other options that may be cheaper or provide greater benefit. High priority in relation to HT1	Further work required on feasibility and design £TBA (orange)

Scheme ref.	Description	Work	Progress	Indicative work and costs
SM61	Cycle hub at Hitchin railway station	This would potentially encourage more people to cycle to the railway station.	No assessment yet made of need or beneficial impacts	£500k-£1m (red)

5.11.13 There is unavoidable uncertainty about exactly which scheme will in fact benefit from the financial contributions from this development. This depends on many factors, which are the responsibility of the Highway Authority to manage. There are several projects within Hitchin which will all make active and sustainable travel easier. Funding comes from various sources, which is sought and managed by either the District Council or the Highway Authority.

5.11.14 Officers are satisfied, as is the Highway Authority that there is sufficient clarity on how the contributions of approx. £3.3m in Strand 2 may be spent in Hitchin, to the benefit of existing residents and to enable and support future residents to choose active and sustainable modes of travel. The proposals are in accordance with the NPPF 2023, the NHLP Policies SP6 and T1 and the Developer Contributions SPD.

5.12 Conclusions

5.12.1 Both National Highways and the Highway Authority do not raise any objection to the supplementary information requested by Members at PCC on 6 July 2023 regarding cumulative impacts and mitigation measures associated with the proposed development.

5.12.2 The Highway Authority in particular are satisfied that although there would be some increase in traffic arising from the proposed development, this would not have an unacceptable impact on highway safety or result in a residual cumulative impact that would be severe so as to warrant an objection or reason for refusal in accordance with the NPPF 2023.

5.12.3 This is read together with a substantial package of planning obligations towards active and sustainable transport as set out in the report above. Mitigation measures are to be delivered by various appropriate mechanisms and the applicant, North Herts planning Officers and the Highway Authority have investigated additional detail on the priorities identified for Strand 2 contributions. The Highway Authority remain content with the recommended conditions set out at the end of this report.

5.12.4 In the light of the supplementary information submitted, the proposals are considered to be in accordance with the NPPF 2023, NHLP 2022 Policies SP7, T1, and HCC LTP4, and have address fully the reasons for the applications deferral from PCC 6 July 2023. Therefore, the proposal accords with the Local Plan as a whole and there are no material considerations that indicate that the decision should not be made in accordance with the recently adopted Local Plan. In the circumstances, planning permission should be granted.

6.2 **Alternative Options**

6.3 None applicable (see ‘Key issues’ section of this report above)

7.0 Climate Change mitigation measures

7.1 There has been no change since the Report in Appendix 1.

8.0 Pre-Commencement Conditions

8.1 I can confirm that the applicant is in agreement with the pre-commencement conditions that are proposed. Following the update sheet to PCC dated 4 July 2023, the conditions have been consolidated at the end of this report for clarity.

9.0 Legal Implications

9.1 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.

10.0 Recommendation

10.1 That outline planning permission is resolved to be **GRANTED** subject the following:

4.0 The completion of a satisfactory legal agreement and associated land transfer agreement, and the applicant agreeing to extend the statutory period in order to complete the agreement if required; and

5.0 Providing delegated powers to the Development and Conservation Manager to update conditions and informatives; and

6.0 Conditions as set out below:

Definitions:

'**Development Parcel'** means a phase or part of the development excluding Enabling and Associated Works. For instance, this would include a phase or part of the development comprising housing, a local centre, a primary school, allotments and/or play areas

'Enabling and Associated Works' means the preparation of a site in readiness for the first stage of development: this includes (i) surveying, (ii) environmental and hazardous substance testing and sampling (including the making of trial boreholes, sampling and test pits in connection with such testing) (iii) soil tests, (iv) pegging out, (v) tree protection, (vii) ecological survey and mitigation works, (vii) archaeological investigation and (vi) demolition and removal of buildings and other structures on the site and site set up.

Approval Plans and Documents

9. The development hereby permitted shall be carried out wholly in accordance with the details specified in the application and supporting, approved documents and plans, together with the reserved matters approved by the Local Planning Authority, or with minor modifications of those details or reserved matters which previously have been agreed in writing by the Local Planning Authority as being not materially different from those initially approved.

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

Submission of Reserved Matters

10. No part of the built development hereby permitted shall be commenced on a development parcel within a particular development parcel or sub-phase (as referred to in condition 4) until full details of the layout, scale, appearance and landscaping within the parcel (hereinafter referred to as reserved matters) have been submitted to and approved in writing by the Local Planning Authority.

Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 and the provisions of the Town and Country Development Management Procedure Order 2015 and to ensure high quality urban design and co-ordinated development.

Time Limits

11. Application for approval of the first reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission, and the development hereby permitted shall be begun before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Quantum of land uses

12. The number of homes and floorspace of land uses as set out below shall not be exceeded pursuant to this planning permission:
Residential (Use Class C3) – up to 700 residential dwellings
Flexible mixed use, neighbourhood level facilities: Classes E (a)(b)(c) – up to 500 sq.m

Phasing & Delivery

13. No development shall commence apart from enabling or associated works until a Site Wide Phasing & Delivery Plan which accords with the s106 triggers and Transport Mitigation Phasing Strategy has been submitted to and approved in writing by the local planning authority. Thereafter each subsequent reserved matters application for any phase (or part thereof) shall be accompanied by an updated programme or statement of compliance with the approved strategy for subsequent approval by the local planning authority.

The development shall be carried out in accordance with the approved Phasing Plan unless there are unforeseen events / obstacles to delivery and alternative timing for provision is agreed in writing by the Local Planning Authority.

All reserved matters submissions shall be in accordance with the Site Wide Phasing and Delivery Plan as approved by the Local Planning Authority, unless otherwise agreed with the Local Planning Authority. Any references to a Phase of the development within this permission shall be taken to be a reference to phases as identified within the Site Wide Phasing and Delivery Plan submitted under this condition.

The Site Wide Phasing and Delivery Plan shall include but not be limited to the sequence of providing the following elements:

n) Residential development parcels;
o) Location of self-build plots
p) A programme for the delivery of public transport infrastructure;
q) Major distributor roads/routes within the site, including timing of provision and opening of access points into the site;
r) Strategic footpaths and cycleways;

s) Primary school (playing pitches), community/neighbourhood centre facilities
t) Strategic foul and surface water features and SUDS;
u) Formal and informal public open space, park/square, allotments, parks, NEAP and LEAP;
v) Strategic/structural landscaping
w) Strategic electricity, telecommunications and gas networks;
x) Infrastructure for the provision of fibre optic cables;
y) Environmental mitigation measures
z) Off-site highway improvements.

Reason: To secure comprehensive, co-ordinated and sustainable development and assist with the determination of subsequent reserved matters applications in order to ensure that infrastructure provision and environmental mitigation are provided in time to cater for the needs and impacts arising out of the development, in accordance with Policy SP1, SP9 and SP17

Design Code

14. Prior to or concurrently with the submission of the first reserved matters application(s) a Site Wide Design Code shall be submitted to the Local Planning Authority for approval. No development shall commence except enabling and associated works until the Design Code has been approved in writing by the Local Planning Authority in consultation with Hertfordshire County Council (as highway authority, education authority and LLFA). The Design Code shall be prepared in accordance with the approved parameter plans established in this outline permission and build upon the Strategic Masterplan and Design and Access Statement. The Design Code shall include:

1. Vision for Development and Place-making Objectives

2. Framework Masterplan

3. Character Assessment of the Local Area

4. Nature

(a) The green space network including the design and approach to the character and treatment of each green space and corridor with regards to:

- formal and informal green space
- hard and soft landscaping
- removal of existing vegetation and trees
- treatment of existing and retained hedgerows and trees (buffer design)
- new tree planting
- habitat creation
- SUDS arrangements
- strategic earth modelling and mounding
- boundary treatment
- footpaths and cycleways/crossings within or adjacent to green space

5. Movement

(b) The street network and hierarchy and design specifications, including:

- public transport infrastructure
- key junction design
- traffic management and calming
- pedestrian /cycle crossing treatment
- bus only section, bus gate location and operation, modal filters and associated vehicular turning area treatments

(c) Typical cross sections of street types to include details of footways, cycleway, kerb treatment, tree planting, tree species, sustainable urban drainage, landscaping, service corridors and on street parking
(d) Extent of highway to be offered for adoption
(e) The design treatment of footpaths and cycleways through the site and off-site
(f) Vehicular and cycle parking design across the site for residents and visitors

6. Uses Primary School
(g) Design approach to the disposition, orientation, setback, massing and height of building, playing fields, landscaping and associated public realm
(h) Design approach to active frontage, primary entrances and architectural principles
(i) Design approach to vehicular, pedestrian and cycle access and parking Neighbourhood Centre
(j) Approach to disposition of building, setbacks and height, associated landscaping and public realm
(k) Approach to vehicular, pedestrian and cycle access, parking and servicing and hard and soft landscaping

7. Built Form
(l) Block principles to establish use, density, building typologies, building line, primary frontages, pedestrian access points, fronts and backs, setbacks, space between buildings, landscaping, gardens, parking typologies and design, boundary treatments
(m) Key groupings, landmark and marker buildings including specification on frontage character, heights, scale, form, level of enclosure, architectural principles and features
(n) Principles of elevational treatment, architectural principles and building materials

8. Public Space
(o) The conceptual design and approach to the public realm with reference to surfacing and materials, boundary treatment, landscaping and planting, signage, and street furniture
(p) The conceptual design and approach to the lighting strategy and how this will be applied to different areas of the development with different lighting needs so as to maximise energy efficiency, minimise light pollution, protect wildlife and avoid street clutter
(q) Details of waste and recycling provision for all building types and recycling points

9. Homes & Buildings
(r) Specifications for space standards, accessibility, lighting, aspect, privacy, secured by design and garden space
(s) Approach to incorporation of ancillary infrastructure such as sub stations, pipes, flues, EV charging points, fibres, wires and cables as required by statutory undertakers

10. Resources
(t) Measures to demonstrate how the design can maximise resource efficiency through energy efficiency standards, on-site renewables and reduced water consumption and climate change adaptation through external passive means such as landscape, orientation, massing and external building features

11. Stewardship
(u) Details of adoption, management and maintenance arrangements of highways, footpaths, cycleways, green space and public realm

The Design Code shall explain its purpose, structure and status and set out the mandatory and discretionary elements where the Design Code shall apply, who should

use the Design Code and how to use the Design Code. Details of the Design review procedure and of circumstances where a review of the Design Code shall be implemented. All subsequent reserved matters applications shall accord with the details of the approved Design Code and be accompanied by a statement which demonstrates compliance with the code. There shall be no variation or amendment to the approved Design Code unless this is formally agreed in writing by the Local Planning Authority.

Reason: To ensure high quality design and co-ordinated phased development in accordance with Policy SP9 Design and Sustainability and D1 Sustainable Design in the North Hertfordshire Local Plan and Section 12 of the NPPF, National Design Guide and National Model Design Code and to mitigate and minimise any negative impact on the significance and setting of the Grade II listed Threshing Barn.

Highways

Existing Access – Closure

15. Prior to the first occupation of the development hereby permitted, vehicular and pedestrian access to and egress from the adjoining highway shall be limited to the access(es) shown on drawing number 62240435-TAA-DP-100-001 Rev P09 General Arrangement only. Any other access(es) or egresses shall be permanently closed (except construction accesses), and the highway verge shall be reinstated in accordance with a detailed scheme to be agreed with the Local Planning Authority, concurrently with the bringing into use of the new access.

Reason: To ensure construction of a satisfactory development and in the interests of highway safety and amenity in accordance with Policies 5 and 7 of Hertfordshire's Local Transport Plan (adopted 2018).

Bus Gate

16. No development apart from enabling and associated works shall commence until details shall be submitted to the Local Planning Authority in consultation with the Highway Authority relating to the design and operation of a bus gate preventing the through movement of general vehicular trips from High Dane to Stotfold Road.

Reason: To ensure that sustainable travel options associated with the development are promoted and maximised to be in accordance with Policies 3, 5, 7, 8, 9 and 10 of Hertfordshire's Local Transport Plan (adopted 2018).

Construction Traffic Management Plan

17. No development apart from enabling and associated works, shall commence until a Construction Traffic Management Plan (in accordance with the best practice guidelines as described in the Construction Logistics and Community Safety (CLOCS) Standard), has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan, unless otherwise agreed in writing by the LPA. The Construction Traffic Management Plan shall include details of:

x. Phasing of the development of the site, including all highway works;
xi. Details of temporary access points for construction vehicles
xii. Construction vehicle numbers, type, routing;
xiii. Traffic management requirements;
xiv. Construction and storage compounds (including areas designated for car parking);
xv. Siting and details of wheel washing facilities;
xvi. Cleaning of site entrances, site tracks and the adjacent public highway;
xvii. Timing of construction deliveries to avoid school pick up/drop off times; and

xviii. Provision of sufficient on-site parking prior to commencement of construction activities.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

Detailed Highways Plans – Reserved Matter

18. All reserved matters applications for each development parcel or sub-phase shall include full details in relation to the design of estate roads (in the form of scaled plans and / or written specifications) shall be submitted to and approved in writing by the Local Planning Authority to detail the following:
    n. Roads;
    o. Footways;
    p. New pedestrian and cycle accesses into the site;
    q. Cycleways (compliant with LTN 1/20);
    r. External public lighting;
    s. Minor artefacts, structures and functional services;
    t. Foul and surface water drainage;
    u. Visibility splays;
    v. Access arrangements including temporary construction access
    w. Hard surfacing materials;
    x. Parking areas for vehicles and cycles;
    y. Loading areas; and
    z. Turning and circulation areas.

    The development shall be implemented in accordance with those approved plans.

    Reason: To ensure suitable, safe and satisfactory planning and development of the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan 2018.

Maintenance of Streets

19. Prior to the first occupation of the dwellings within each development parcel of the development, full details shall be submitted to and approved in writing by the Local Planning Authority in relation to the proposed arrangements for future management and maintenance of the proposed streets within that Parcel. Following the provision of such streets, the streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established in accordance with the approved details.

    Reason To ensure that any future management arrangements for the various elements of the transport network are in accordance with Policy SP9 of the Local Plan and Policy 5 of Hertfordshire's Local Transport Plan 2018.

Fire Hydrants

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

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

Tree protection

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

Reason: To prevent damage to or destruction of trees to be retained on the site in the interests of the appearance of the completed development and the visual amenity of the locality.

Land Contamination

14. (a) No development approved by this permission shall be commenced until a Site Investigation (Phase II environmental risk assessment) report has been submitted to and approved by the Local Planning Authority which includes:
(i) A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;
(ii) The results from the application of an appropriate risk assessment methodology.
(b) No development approved by this permission (other than that necessary for the discharge of this condition) shall be commenced until a Remediation Method Statement report; if required as a result of (a), above; has been submitted to and approved by the Local Planning Authority.
(c) Each phase of the development shall not be occupied, or brought into use, until:
(i) All works which form part of the Remediation Method Statement report pursuant to the discharge of condition (b) above have been fully completed for that phase and if required a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme.
(ii) A Remediation Verification Report confirming that each relevant phase of the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority.
(d) If, during development of each phase, contamination not previously identified is found to be present at the site then no further development of that phase (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that any contamination affecting the site is dealt with in a manner that safeguards human health, the built and natural environment and controlled waters.

15. Piling or any other foundation designs and investigation boreholes using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with NPPF paragraphs 109, 120, 121, North Hertfordshire Local Plan Policies NE8 and NE11, and the Environment Agency's approach to groundwater protection.

Ecology

16. Development apart from enabling and associated works shall not commence until a landscape and ecological management plan (LEMP) has been submitted to, and approved in writing by, the local planning authority. The content of the LEMP shall ensure the delivery of the agreed number of habitat and hedgerow units in the approved biodiversity metric (104.49 habitat units, 31.89 hedgerow units) to achieve a net gain in biodiversity and include the following.

a) Description, areas and evaluation of features to be managed, marked on plans.
b) Compensation and Habitat creation as proposed and detailed in the environmental statement 'ecology and conservation'.
c) Aims and objectives of management.
d) Appropriate management options for achieving target condition for habitats as described in the approved metric, directly cross referenced to lines in the approved metric.
e) Details of the make, model, and location of a minimum of integrated bat and swift boxes in appropriate buildings has been supplied to and approved by the LPA. These should be clearly marked on plans. Boxes shall be fully installed prior to occupation and retained as such thereafter.
f) Prescriptions for management actions, only definitive measures are acceptable.
g) Preparation of a work schedule if applicable (including a 5 year work plan and 30 year work schedule, capable of being rolled forward in perpetuity).
h) Details of the body or organisation responsible for implementation of the plan.
i) Ongoing monitoring plan and remedial measures to ensure approved habitat condition targets are met.
j) Details of species selected to achieve target habitat conditions as identified in approved metric, definitively stated and marked on plans.

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

The approved plan will be implemented in accordance with the approved details.

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

Sustainability Strategy

17. Prior to or concurrently with the first reserved matters submission a site-wide sustainability strategy shall be submitted to the Local Planning Authority for approval addressing renewable energy, reducing carbon emissions and water conservation.

Reason To reduce carbon dioxide emissions and promoting principles of sustainable construction and the efficient use of buildings in accordance with North Hertfordshire Local Plan Policies SP9 and D1.

EV Recharging Infrastructure Condition

18. Prior to occupation, each of the proposed new dwellings shall incorporate an Electric Vehicle (EV) charging point. Details of which shall be submitted to an approved in writing by the Local Planning Authority. Proposals should also be made for the provision of EV charging within other public parking areas of the proposed development. The charging points shall be retained thereafter.

Reason: To contribute to the objective of providing a sustainable transport network and to provide the necessary infrastructure to help off-set the adverse impact of the operational phase of the development on local air quality in accordance with North Hertfordshire Local Plan Strategic Objective ENV4 and Policy SP9 and D4.

EHO – Noise

19. Prior to first use of (each of the different Class Uses of) any non-residential development hereby permitted, a scheme including noise control measures shall be submitted for approval to the Local Planning Authority to demonstrate that the rating level of sound emitted from any external fixed plant and/or machinery associated with the development shall not exceed the existing background level inclusive of any penalty for tonal, impulsive or other distinctive acoustic characteristics when measured or calculated according to the provisions of BS4142:2014+A1:2019 (Method for rating and assessing industrial and commercial sound) and/or its subsequent amendments. The scheme shall be such that the combined noise level of all plant shall not exceed the Rating levels detailed in Table 12.10 of Environmental Statement Chapter 12 on Noise and Vibration. No plant shall be installed and operated at the site until the noise survey has been approved by the LPA.

Reason: To ensure an adequate level of amenity for residents of the new and existing dwellings in accordance with North Hertfordshire Local Plan Policy D3.

HCC Archaeology

20. No development shall take place until the Site Investigation works as set out in the approved WSI (prepared by Orion dated may 2023, ref PN3519) have been completed by an Archaeological Contractor Registered with the CIfA. The development shall not be occupied until the Site Investigation works as set out within the approved WSI have been completed and signed off by the local planning authority/county archaeologist. Thereafter, the post-excavation analysis and archive report shall be completed in accordance with the approved WSI and submitted for approval to the local planning authority within one calendar year of the date of this planning permission, together with confirmation in writing to the planning authority/county archaeologist, that provision has been made for publication, and for deposition of the archive, where appropriate.

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

LLFA 1

21. No development apart from enabling and associated works shall take place until the final design of the drainage scheme is completed and sent to the LPA for approval. The surface water drainage system will be based on the submitted Highover Farm Hitchin, Flood Risk Assessment and Drainage Strategy, Revision 5, dated 12/12/19, prepared by WSP and the Drawing titled: Drainage Construction Sequencing Plan, Drawing No. 62240435-TTP-DP-300-001-02, Rev P07, dated February 2020. The scheme shall also include:
1. Detailed infiltration tests to BRE Digest 365 standard carried out at the exact location and depth of the proposed infiltrating features
2. Updated calculations for storage based on detailed infiltration testing.
3. Provision of a SuDS design code for the entire site securing the provision of above ground SuDS features throughout the entire development for all and each phase.
4. Detailed engineered drawings of the proposed SuDS features including their location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling to ensure the scheme caters for

all rainfall events up to and including the 1 in 100 year + 40% allowance for climate change event.
5. Provision of half drain down times within 24 hours.
6. Details on silt management, ensuring the protection of infiltration as a means of discharge.
7. Demonstrate appropriate SuDS management and treatment and inclusion of above ground features such as permeable paving, swales etc. for the paved areas ensuring the lack of requirement for any underground storage.

Reason To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site.

LLFA 2

22. Upon completion of the drainage works for the site and in accordance with the timing / phasing arrangements, the following must be submitted to and approved in writing by the Local Planning Authority (for each phase):

1. Provision of a verification report (appended with substantiating evidence demonstrating the approved construction details and specifications have been implemented in accordance with the surface water drainage scheme). The verification report shall include photographs of excavations and soil profiles/horizons, installation of any surface water structure (during construction and final make up) and the control mechanism.
2. Provision of a complete set of as built drawings for site drainage.
3. A management and maintenance plan for the SuDS features and drainage network.
4. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.

Reason To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

LLFA 3

23. Development (other than enabling and associated works) shall not commence until the final design of the drainage scheme has been submitted to and approved by the local planning authority.

Reason: To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site.

Waste and Minerals

24. Prior to the commencement of development, a Site Waste Management Plan (SWMP) shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Waste Planning Authority. The SWMP should aim to reduce the amount of waste being produced on site and should contain information including estimated and actual types and amounts of waste removed from the site and where that waste is being taken to. The development shall be carried out in accordance with the approved details.

Reason: To seek to reduce waste from the site, both during and after construction, in accordance with Policies 1, 2 and 12 of the adopted Hertfordshire Waste Core Strategy and Development Management Policies Development Plan Document 2012.

Allotments – reserved matter

25. Any reserved matters applications which incorporate allotment provision shall where appropriate include the following details:

a) A plan of the allotments, principles of plot layout and design providing for a range of plot sizes designed to allow flexibility to meet the needs of future plot holders; areas for communal storage of, for example, manure and compost;
b) Proposed management arrangements;
c) Access and parking arrangements to allow easy and safe access to the allotments;
d) Boundary treatment, including security arrangements for the allotments;
e) Water supply, including use of stored rainwater and SuDS for watering crops.

The provision of allotments shall be carried out in accordance with the approved details and in accordance with the approved phasing programme.

Reason: To ensure that appropriate allotments are provided in relation to the development of the site in accordance with North Hertfordshire Local Plan Policy NE6.

Lighting – reserved matter

26. No development shall commence within a development phase until the artificial lighting scheme for that development phase has been approved in writing by the Local Planning Authority. The approved lighting scheme for that phase shall be installed, maintained and operated in accordance with the approved details / measures for that phase unless the Local Planning Authority gives its written consent to any variation.

Reason: To protect the character and appearance of the area and the amenity of existing and future residential properties in accordance with NPPF paragraphs 120 and 125 and North Hertfordshire Local Plan Policy D3.

Waste and recycling collection – reserved matter

27. Any reserved matters application pursuant to this outline permission for a development phase shall provide full details of the on-site storage facilities for waste including waste for recycling and/or composting. Such details shall identify the specific positions of where wheeled bins will be stationed, and the specific arrangements to enable collection from within 15m of the kerbside of the adopted highway/refuse collection vehicle access point and walk distances for residents. The approved facilities shall be provided prior to the commencement of the use hereby permitted and shall be retained thereafter unless alternative arrangements are agreed in writing by the local planning authority.

Reason: To facilitate refuse and recycling collections, and to protect the amenities of nearby residents/occupiers and in the interests of visual amenity in accordance with North Hertfordshire Local Plan Policies D1 and D3.

Landscape – reserved matter

28. All reserved matters applications for any development parcel or sub-phase shall include the follow design details:

Soft Landscape

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

q) 1:100 plans (or at a scale otherwise agreed) with cross-sections of mounding, ponds, ditches and swales and proposed treatment of the edges and perimeters of each development phase;
r) The landscape treatment of roads (primary, secondary, tertiary and green) through each development phase;
s) A specification for the establishment of trees within hard landscaped areas including details of space standards (distances from buildings etc.), tree pit details and details of the species, number and spacing of trees and shrubs;
t) The planting and establishment of structural landscape to be provided in advance of all or specified parts of the site as appropriate;
u) Full details of any proposed alterations to existing watercourses/drainage channels and details of any water features;
v) Details and specification of proposed earth modelling, mounding, re-grading and/or embankment areas or changes of level across the site to be carried out including soil quantities, topsoil storage to BS 3882 : 2007, haul routes, proposed levels and contours to be formed, sections through construction to show make-up, and timing of works;
w) A specification for the Topsoil Strip, storage, re-spread and remediation in accordance with Defra : Construction Code of Practice for the Sustainable Use of Soils on Construction Sites.

Hard Landscape

x) Full details, including cross-sections, of all bridges and culverts;
y) The location and specification of minor artefacts and structures, including furniture, refuse or other storage units, signs and lighting columns/brackets;
z) 1:200 plans (or at a scale otherwise agreed) including cross sections, of roads, paths and cycleways;
aa) Details of all hard surfacing materials (size, type and colour).

No subsequent alterations to the approved landscape details are to take place unless submitted to and approved in writing by the Local Planning Authority. The landscape within each Development Phase shall be implemented in accordance with the approved landscape details for that Development Parcel or Strategic Engineering and Landscape Element.

Reason: In the interests of the amenity of residents and to ensure that a detailed approach to the development of the built-up area (or parcels thereof) is agreed, in order to safeguard the setting of the site and its surroundings, and to ensure a suitable relationship and integration of the built development with its surroundings in accordance with the North Hertfordshire Local Plan Policies SP9, SP17, NE2 and NE6.

Open Space Management and Maintenance

29. Prior to or concurrent with the first reserved matters submitted in each phase identified in Condition 6 a detailed Open Space Management and Maintenance Scheme for the management and maintenance of all areas of open space (to include parks, greenways, allotments, play areas, informal open space, semi-natural green space, public squares) shall be submitted to and agreed in writing by the Local Planning Authority and implemented in accordance with an agreed timetable and phasing strategy approved under condition 6. Details to be submitted shall include:

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

g) Maintenance and planting replacement programme for the establishment period of landscaping

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

Reason: To ensure adequate open space and amenity provision as per North Hertfordshire Local Plan Policy NE6.

Proactive Statement:

Planning permission has been granted for this proposal. The Council acted proactively through positive engagement with the applicant at the pre-application stage and 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.

Informatives: Remain the same as per Appendix 1

1. Application for approval of the first reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission, and the development hereby permitted shall be begun before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.

   Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the details specified in the application and supporting, approved documents and plans, together with the reserved matters approved by the Local Planning Authority, or with minor modifications of those details or reserved matters which previously have been agreed in writing by the Local Planning Authority as being not materially different from those initially approved.

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

3. No part of the built development hereby permitted shall be commenced on a development parcel within a particular development parcel or sub-phase (as referred to in condition 5 Phasing and Delivery) until full details of the layout, scale, appearance and landscaping within the parcel (hereinafter referred to as reserved matters) have been submitted to and approved in writing by the Local Planning Authority.

Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 and the provisions of the Town and Country Development Management Procedure Order 2015 and to ensure high quality urban design and co-ordinated development.

4. The number of homes and floorspace of land uses as set out below shall not be exceeded pursuant to this planning permission:
Residential (Use Class C3) - up to 700 residential dwellings
Flexible mixed use, neighbourhood level facilities: Classes E (a)(b)(c) - up to 500 sq.m

Reason: To ensure that the development is completed within the scope of the approved parameter upon which the application has been assessed, in accordance with the requirements of section 51 of the Planning and Compulsory Purchase Act 2004.

5. Prior to or concurrently with the submission of the first reserved matters application a Site Wide Phasing and Delivery Plan which accords with the s106 triggers and Transport Mitigation Phasing Strategy has been submitted to and approved in writing by the local planning authority. Thereafter each subsequent reserved matters application for any phase (or part thereof) shall be accompanied by an updated programme or statement of compliance with the approved strategy for subsequent approval by the local planning authority.

The development shall be carried out in accordance with the approved Phasing Plan unless there are unforeseen events / obstacles to delivery and alternative timing for provision is agreed in writing by the Local Planning Authority.

All reserved matters submissions shall be in accordance with the Site Wide Phasing and Delivery Plan as approved by the Local Planning Authority, unless otherwise agreed with the Local Planning Authority. Any references to a Phase of the development within this permission shall be taken to be a reference to phases as identified within the Site Wide Phasing and Delivery Plan submitted under this condition.

The Site Wide Phasing and Delivery Plan shall include but not be limited to the sequence of providing the following elements:
a) Residential development parcels;
b) Location of self-build plots
c) A programme for the delivery of public transport infrastructure;
d) Major distributor roads/routes within the site, including timing of provision and opening of access points into the site;
e) Strategic footpaths and cycleways;
f) Primary school (playing pitches), community/neighbourhood centre facilities
g) Strategic foul and surface water features and SUDS;
h) Formal and informal public open space, park/square, allotments, parks, NEAP and LEAP;
i) Strategic/structural landscaping
j) Strategic electricity, telecommunications and gas networks;
k) Infrastructure for the provision of fibre optic cables;
l) Environmental mitigation measures
m) Off-site highway improvements.

Reason: To secure comprehensive, co-ordinated and sustainable development and assist with the determination of subsequent reserved matters applications in order to ensure that infrastructure provision and environmental mitigation are provided in time

to cater for the needs and impacts arising out of the development, in accordance with Policy SP1, SP9 and SP17

6. Prior to or concurrently with the submission of the first reserved matters application(s) a Site Wide Design Code shall be submitted to the Local Planning Authority for approval. No development shall commence except enabling and associated works until the Design Code has been approved in writing by the Local Planning Authority in consultation with Hertfordshire County Council (as highway authority, education authority and LLFA). The Design Code shall be prepared in accordance with the approved parameter plans established in this outline permission and build upon the Strategic Masterplan and Design and Access Statement. The Design Code shall include:

1. Vision for Development and Place-making Objectives

2. Framework Masterplan

3. Character Assessment of the Local Area

4. Nature
(a) The green space network including the design and approach to the character and treatment of each green space and corridor with regards to:
- o formal and informal green space
- o hard and soft landscaping
- o removal of existing vegetation and trees
- o treatment of existing and retained hedgerows and trees (buffer design)
- o new tree planting
- o habitat creation
- o SUDS arrangements
- o strategic earth modelling and mounding
- o boundary treatment
- o footpaths and cycleways/crossings within or adjacent to green space

5. Movement
(b) The street network and hierarchy and design specifications, including:
- o public transport infrastructure
- o key junction design
- o traffic management and calming
- o pedestrian /cycle crossing treatment
- o bus only section, bus gate location and operation, modal filters and associated vehicular turning area treatments

(c) Typical cross sections of street types to include details of footways, cycleway, kerb treatment, tree planting, tree species, sustainable urban drainage, landscaping, service corridors and on street parking
(d) Extent of highway to be offered for adoption
(e) The design treatment of footpaths and cycleways through the site and off-site
(f) Vehicular and cycle parking design across the site for residents and visitors

6. Uses Primary School
(g) Design approach to the disposition, orientation, setback, massing and height of building, playing fields, landscaping and associated public realm
(h) Design approach to active frontage, primary entrances and architectural principles
(i) Design approach to vehicular, pedestrian and cycle access and parking
Neighbourhood Centre
(j) Approach to disposition of building, setbacks and height, associated landscaping and public realm

(k) Approach to vehicular, pedestrian and cycle access, parking and servicing and hard and soft landscaping

7. Built Form
(l) Block principles to establish use, density, building typologies, building line, primary frontages, pedestrian access points, fronts and backs, setbacks, space between buildings, landscaping, gardens, parking typologies and design, boundary treatments
(m) Key groupings, landmark and marker buildings including specification on frontage character, heights, scale, form, level of enclosure, architectural principles and features
(n) Principles of elevational treatment, architectural principles and building materials

8. Public Space
(o) The conceptual design and approach to the public realm with reference to surfacing and materials, boundary treatment, landscaping and planting, signage, and street furniture
(p) The conceptual design and approach to the lighting strategy and how this will be applied to different areas of the development with different lighting needs so as to maximise energy efficiency, minimise light pollution, protect wildlife and avoid street clutter
(q) Details of waste and recycling provision for all building types and recycling points

9. Homes & Buildings
(r) Specifications for space standards, accessibility, lighting, aspect, privacy, secured by design and garden space
(s) Approach to incorporation of ancillary infrastructure such as sub stations, pipes, flues, EV charging points, fibres, wires and cables as required by statutory undertakers

10. Resources
(t) Measures to demonstrate how the design can maximise resource efficiency through energy efficiency standards, on-site renewables and reduced water consumption and climate change adaptation through external passive means such as landscape, orientation, massing and external building features

11. Stewardship
(u) Details of adoption, management and maintenance arrangements of highways, footpaths, cycleways, green space and public realm

The Design Code shall explain its purpose, structure and status and set out the mandatory and discretionary elements where the Design Code shall apply, who should use the Design Code and how to use the Design Code. Details of the Design review procedure and of circumstances where a review of the Design Code shall be implemented. All subsequent reserved matters applications shall accord with the details of the approved Design Code and be accompanied by a statement which demonstrates compliance with the code. There shall be no variation or amendment to the approved Design Code unless this is formally agreed in writing by the Local Planning Authority.

Reason: To ensure high quality design and co-ordinated phased development in accordance with Policy SP9 Design and Sustainability and D1 Sustainable Design in the North Hertfordshire Local Plan and Section 12 of the NPPF, National Design Guide and National Model Design Code and to mitigate and minimise any negative impact on the significance and setting of the Grade II listed Threshing Barn.

7. All reserved matters applications for each development parcel or sub-phase shall

include full details in relation to the design of estate roads (in the form of scaled plans and / or written specifications) shall be submitted to and approved in writing by the Local Planning Authority to detail the following:

a. Roads;
b. Footways;
c. New pedestrian and cycle accesses into the site;
d. Cycleways (compliant with LTN 1/20);
e. External public lighting;
f. Minor artefacts, structures and functional services;
g. Foul and surface water drainage;
h. Visibility splays;
i. Access arrangements including temporary construction access
j. Hard surfacing materials;
k. Parking areas for vehicles and cycles;
l. Loading areas; and
m. Turning and circulation areas.

The development shall be implemented in accordance with those approved plans.

Reason: To ensure suitable, safe and satisfactory planning and development of the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan 2018.

8. Any reserved matters applications which incorporate allotment provision shall where appropriate include the following details:

a) A plan of the allotments, principles of plot layout and design providing for a range of plot sizes designed to allow flexibility to meet the needs of future plot holders; areas for communal storage of, for example, manure and compost;
b) Proposed management arrangements;
c) Access and parking arrangements to allow easy and safe access to the allotments;
d) Boundary treatment, including security arrangements for the allotments;
e) Water supply, including use of stored rainwater and SuDS for watering crops.

The provision of allotments shall be carried out in accordance with the approved details and in accordance with the approved phasing programme.

Reason: To ensure that appropriate allotments are provided in relation to the development of the site in accordance with North Hertfordshire Local Plan Policy NE6.

9. No development shall commence within a development phase until the artificial lighting scheme for that development phase has been approved in writing by the Local Planning Authority. The approved lighting scheme for that phase shall be installed, maintained and operated in accordance with the approved details / measures for that phase unless the Local Planning Authority gives its written consent to any variation.

Reason: To protect the character and appearance of the area and the amenity of existing and future residential properties in accordance with NPPF paragraphs 120 and 125 and North Hertfordshire Local Plan Policy D3.

10. Any reserved matters application pursuant to this outline permission for a development phase shall provide full details of the on-site storage facilities for waste including waste for recycling and/or composting. Such details shall identify the specific positions of where wheeled bins will be stationed, and the specific arrangements to enable collection from within 15m of the kerbside of the adopted highway/refuse collection vehicle access point and walk distances for residents. The

approved facilities shall be provided prior to the commencement of the use hereby permitted and shall be retained thereafter unless alternative arrangements are agreed in writing by the local planning authority.

Reason: To facilitate refuse and recycling collections, and to protect the amenities of nearby residents/occupiers and in the interests of visual amenity in accordance with North Hertfordshire Local Plan Policies D1 and D3.

11. All reserved matters applications for any development parcel or sub-phase shall include the follow design details:

Soft Landscape
a) Details of trees, hedgerows, habitats, ponds and other natural features it is proposed to retain or remove and details of how they will be protected during the construction phase. Such details to include the tree protection measures in accordance with BS5837:2012.
b) Full details of planting plans and written specifications, including cultivation proposals for maintenance and management associated with plant and grass establishment, details of the mix, size, distribution, density and levels of all trees/hedges/shrubs to be planted and the proposed time of planting. The planting plan shall use botanic names to avoid misinterpretation. The plans should include a full schedule of plants;
c) 1:100 plans (or at a scale otherwise agreed) with cross-sections of mounding, ponds, ditches and swales and proposed treatment of the edges and perimeters of each development phase;
d) The landscape treatment of roads (primary, secondary, tertiary and green) through each development phase;
e) A specification for the establishment of trees within hard landscaped areas including details of space standards (distances from buildings etc.), tree pit details and details of the species, number and spacing of trees and shrubs;
f) The planting and establishment of structural landscape to be provided in advance of all or specified parts of the site as appropriate;
g) Full details of any proposed alterations to existing watercourses/drainage channels and details of any water features;
h) Details and specification of proposed earth modelling, mounding, re-grading and/or embankment areas or changes of level across the site to be carried out including soil quantities, topsoil storage to BS 3882 : 2007, haul routes, proposed levels and contours to be formed, sections through construction to show make-up, and timing of works;
i) A specification for the Topsoil Strip, storage, re-spread and remediation in accordance with Defra : Construction Code of Practice for the Sustainable Use of Soils on Construction Sites.

Hard Landscape
j) Full details, including cross-sections, of all bridges and culverts;
k) The location and specification of minor artefacts and structures, including furniture, refuse or other storage units, signs and lighting columns/brackets;
l) 1:200 plans (or at a scale otherwise agreed) including cross sections, of roads, paths and cycleways;
m) Details of all hard surfacing materials (size, type and colour).

No subsequent alterations to the approved landscape details are to take place unless submitted to and approved in writing by the Local Planning Authority. The landscape within each Development Phase shall be implemented in accordance with the approved landscape details for that Development Parcel or Strategic Engineering and Landscape Element.

Reason: In the interests of the amenity of residents and to ensure that a detailed approach to the development of the built-up area (or parcels thereof) is agreed, in order to safeguard the setting of the site and its surroundings, and to ensure a suitable relationship and integration of the built development with its surroundings in accordance with the North Hertfordshire Local Plan Policies SP9, SP17, NE2 and NE6.

12. Prior to or concurrently with each reserved matters submitted in each phase identified in Condition 5 Phasing and Delivery a sustainability strategy shall be submitted to the Local Planning Authority for approval addressing renewable energy, reducing carbon emissions and water conservation.

Reason To reduce carbon dioxide emissions and promoting principles of sustainable construction and the efficient use of buildings in accordance with North Hertfordshire Local Plan Policies SP9 and D1 and the Sustainability SPD 2024.

13. Prior to or concurrent with the first reserved matters submitted in each phase identified in Condition 5 Phasing and Delivery a detailed Open Space Management and Maintenance Scheme for the management and maintenance of all areas of open space (to include parks, greenways, allotments, play areas, informal open space, semi-natural green space, public squares) shall be submitted to and agreed in writing by the Local Planning Authority and implemented in accordance with an agreed timetable and approved phasing strategy . Details to be submitted shall include:
a) Details of landscape management and maintenance plans;
b) Details of planting, grass cutting, weeding and pruning;
c) Management of sustainable urban drainage features;
d) Management of biodiversity enhancements;
e) Inspection, repair and maintenance of all hard landscaping and structures;
f) Management, monitoring and operational restrictions; and
g) Maintenance and planting replacement programme for the establishment period of landscaping.

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

Reason: To ensure adequate open space and amenity provision as per North Hertfordshire Local Plan Policy NE6.

14. Prior to the commencement of development, a Site Waste Management Plan (SWMP) shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Waste Planning Authority. The SWMP should aim to reduce the amount of waste being produced on site and should contain information including estimated and actual types and amounts of waste removed from the site and where that waste is being taken to. The development shall be carried out in accordance with the approved details.

Reason: To seek to reduce waste from the site, both during and after construction, in accordance with Policies 1, 2 and 12 of the adopted Hertfordshire Waste Core Strategy and Development Management Policies Development Plan Document 2012.

15. No development shall take place until the final design of the drainage scheme is completed and sent to the LPA for approval. The surface water drainage system will be based on the submitted Highover Farm Hitchin, Flood Risk Assessment and Drainage Strategy, Revision 5, dated 12/12/19, prepared by WSP and the Drawing

titled: Drainage Construction Sequencing Plan, Drawing No. 62240435-TTP-DP-300-001-02, Rev P07, dated February 2020. The scheme shall also include:
1. Detailed infiltration tests to BRE Digest 365 standard carried out at the exact location and depth of the proposed infiltrating features
2. Updated calculations for storage based on detailed infiltration testing.
3. Provision of a SuDS design code for the entire site securing the provision of above ground SuDS features throughout the entire development for all and each phase.
4. Detailed engineered drawings of the proposed SuDS features including their location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling to ensure the scheme caters for all rainfall events up to and including the 1 in 100 year + 40% allowance for climate change event.
5. Provision of half drain down times within 24 hours.
6. Details on silt management, ensuring the protection of infiltration as a means of discharge.
7. Demonstrate appropriate SuDS management and treatment and inclusion of above ground features such as permeable paving, swales etc. for the paved areas ensuring the lack of requirement for any underground storage.

Reason: To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site in accordance with North Hertfordshire Local Plan Policies SP9 and SP11 and Section 14 of the NPPF 2023.

16. No development shall take place until the Site Investigation works as set out in the approved WSI (prepared by Orion dated may 2023, ref PN3519) have been completed by an Archaeological Contractor Registered with the CIfA. The development shall not be occupied until the Site Investigation works as set out within the approved WSI have been completed and signed off by the local planning authority/county archaeologist. Thereafter, the post-excavation analysis and archive report shall be completed in accordance with the approved WSI and submitted for approval to the local planning authority within one calendar year of the date of this planning permission, together with confirmation in writing to the planning authority/county archaeologist, that provision has been made for publication, and for deposition of the archive, where appropriate.

Reason: The ensure the implementation of an appropriate archaeological investigation, recording, reporting and publication, and the protection and preservation of archaeological features of significance, in accordance with North Hertfordshire Local Plan Policy HE4 and Section 16 of the NPPF 2023.

17. No development apart from enabling and associated works shall commence until details shall be submitted to the Local Planning Authority in consultation with the Highway Authority relating to the design and operation of a bus gate preventing the through movement of general vehicular trips from High Dane to Stotfold Road.

Reason: To ensure that sustainable travel options associated with the development are promoted and maximised to be in accordance with Policies 3, 5, 7, 8, 9 and 10 of Hertfordshire's Local Transport Plan (adopted 2018).

18. No development apart from enabling and associated works, shall commence until a Construction Traffic Management Plan (in accordance with the best practice guidelines as described in the Construction Logistics and Community Safety (CLOCS) Standard), has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan, unless otherwise agreed in writing by the LPA. The Construction Traffic Management Plan shall include details of:

i. Phasing of the development of the site, including all highway works;
ii. Details of temporary access points for construction vehicles
iii. Construction vehicle numbers, type, routing;
iv. Traffic management requirements;
v. Construction and storage compounds (including areas designated for car parking);
vi. Siting and details of wheel washing facilities;
vii. Cleaning of site entrances, site tracks and the adjacent public highway;
viii. Timing of construction deliveries to avoid school pick up/drop off times; and
ix. Provision of sufficient on-site parking prior to commencement of construction activities.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

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

Reason: To ensure all proposed dwellings have adequate water supplies for in the event of an emergency in accordance with North Hertfordshire Local Plan Policies SP1 and SP7.

20. (a) No development approved by this permission shall be commenced until a Site Investigation (Phase II environmental risk assessment) report has been submitted to and approved by the Local Planning Authority which includes:
(i) A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;
(ii) The results from the application of an appropriate risk assessment methodology.

(b) No development approved by this permission (other than that necessary for the discharge of this condition) shall be commenced until a Remediation Method Statement report; if required as a result of (a), above; has been submitted to and approved by the Local Planning Authority.

(c) Each phase of the development shall not be occupied, or brought into use, until:
(i) All works which form part of the Remediation Method Statement report pursuant to the discharge of condition (b) above have been fully completed for that phase and if required a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme.
(ii) A Remediation Verification Report confirming that each relevant phase of the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority.

(d) If, during development of each phase, contamination not previously identified is found to be present at the site then no further development of that phase (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that any contamination affecting the site is dealt with in a manner

that safeguards human health, the built and natural environment and controlled waters in accordance with North Hertfordshire Local Plan Policies SP11, SP17 and NE11, and Section 15 of the NPPF 2023 and the Environment Agency's approach to groundwater protection.

21. Development apart from enabling and associated works shall not commence until a landscape and ecological management plan (LEMP) has been submitted to, and approved in writing by, the local planning authority. The content of the LEMP shall ensure the delivery of the agreed number of habitat and hedgerow units in the approved biodiversity metric (104.49 habitat units, 31.89 hedgerow units) to achieve a net gain in biodiversity and include the following.

a) Description, areas and evaluation of features to be managed, marked on plans.
b) Compensation and Habitat creation as proposed and detailed in the environmental statement 'ecology and conservation'.
c) Aims and objectives of management.
d) Appropriate management options for achieving target condition for habitats as described in the approved metric, directly cross referenced to lines in the approved metric.
e) Details of the make, model, and location of a minimum of integrated bat and swift boxes in appropriate buildings has been supplied to and approved by the LPA. These should be clearly marked on plans. Boxes shall be fully installed prior to occupation and retained as such thereafter.
f) Prescriptions for management actions, only definitive measures are acceptable.
g) Preparation of a work schedule if applicable (including a 5 year work plan and 30 year work schedule, capable of being rolled forward in perpetuity).
h) Details of the body or organisation responsible for implementation of the plan.
i) Ongoing monitoring plan and remedial measures to ensure approved habitat condition targets are met.
j) Details of species selected to achieve target habitat conditions as identified in approved metric, definitively stated and marked on plans.

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

The approved plan will be implemented in accordance with the approved details.

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

22. Prior to the first occupation of the dwellings within each development parcel of the development, full details shall be submitted to and approved in writing by the Local Planning Authority in relation to the proposed arrangements for future management and maintenance of the proposed streets within that Parcel. Following the provision of such streets, the streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established in accordance with the approved details.

Reason To ensure that any future management arrangements for the various

elements of the transport network are in accordance with Policy SP9 of the Local Plan and Policy 5 of Hertfordshire's Local Transport Plan 2018.

23. Prior to the first occupation of the development hereby permitted, vehicular and pedestrian access to and egress from the adjoining highway shall be limited to the access(es) shown on drawing number 62240435-TAA-DP-100-001 Rev P09 General Arrangement only. Any other access(es) or egresses shall be permanently closed (except construction accesses), and the highway verge shall be reinstated in accordance with a detailed scheme to be agreed with the Local Planning Authority, concurrently with the bringing into use of the new access.

Reason: To ensure construction of a satisfactory development and in the interests of highway safety and amenity in accordance with Policies 5 and 7 of Hertfordshire's Local Transport Plan (adopted 2018).

24. Prior to occupation, each of the proposed new dwellings shall incorporate an Electric Vehicle (EV) charging point. Details of which shall be submitted to an approved in writing by the Local Planning Authority. Proposals should also be made for the provision of EV charging within other public parking areas of the proposed development. The charging points shall be retained thereafter.

Reason: To contribute to the objective of providing a sustainable transport network and to provide the necessary infrastructure to help off-set the adverse impact of the operational phase of the development on local air quality in accordance with North Hertfordshire Local Plan Strategic Objective ENV4 and Policy SP9 and D4.

25. Prior to first use of (each of the different Class Uses of) any non-residential development hereby permitted, a scheme including noise control measures shall be submitted for approval to the Local Planning Authority to demonstrate that the rating level of sound emitted from any external fixed plant and/or machinery associated with the development shall not exceed the existing background level inclusive of any penalty for tonal, impulsive or other distinctive acoustic characteristics when measured or calculated according to the provisions of BS4142:2014+A1:2019 (Method for rating and assessing industrial and commercial sound) and/or its subsequent amendments. The scheme shall be such that the combined noise level of all plant shall not exceed the Rating levels detailed in Table 12.10 of Environmental Statement Chapter 12 on Noise and Vibration. No plant shall be installed and operated at the site until the noise survey has been approved by the LPA.

Reason: To ensure an adequate level of amenity for residents of the new and existing dwellings in accordance with North Hertfordshire Local Plan Policy D3.

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

Reason: To prevent damage to or destruction of trees to be retained on the site in the interests of the appearance of the completed development and the visual amenity of the locality in accordance with North Hertfordshire Local Plan Policy NE1 and Section

14 of the NPPF 2023.

27. Piling or any other foundation designs and investigation boreholes using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with NPPF paragraphs 109, 120, 121, North Hertfordshire Local Plan Policies NE8 and NE11, and the Environment Agency's approach to groundwater protection.

28. The development permitted by this planning permission shall be carried out in accordance with the Highover Farm Hitchin, Flood Risk Assessment and Drainage Strategy, Revision 5, dated 12/12/19, prepared by WSP and the Drawing titled: Drainage Construction Sequencing Plan, Drawing No. 62240435-TTP-DP-300-001-02, Rev P07, dated February 2020 and the following mitigation measures:

1. Provide attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + 40% for climate change event. Attenuation volume for the entire site to be provided as part of Phase 1: a. Infiltration Basin Volume: 12,509m3 b. Detension Basin Volume: 3365m3
2. Implement drainage strategy based on above ground SuDS features such as swales, permeable paving, infiltration basin and detension basin, with discharge via infiltration.

Reason: To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site in accordance with North Hertfordshire Local Plan Strategic Objective ENV4 and Policy SP11 and NE7, and Section 14 of the NPPF 2021.

29. Upon completion of the drainage works for the site and in accordance with the timing / phasing arrangements, the following must be submitted to and approved in writing by the Local Planning Authority (for each phase):

1. Provision of a verification report (appended with substantiating evidence demonstrating the approved construction details and specifications have been implemented in accordance with the surface water drainage scheme). The verification report shall include photographs of excavations and soil profiles/horizons, installation of any surface water structure (during construction and final make up) and the control mechanism.
2. Provision of a complete set of as built drawings for site drainage.
3. A management and maintenance plan for the SuDS features and drainage network.
4. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site in accordance with North Hertfordshire Local Plan Policies SP9 and SP11 and Section 14 of the NPPF 2023.

0. 'Development Parcel' means a phase or part of the development excluding Enabling and Associated Works. For instance, this would include a phase or part of the development comprising housing, a local centre, a primary school, allotments and/or play areas

'Enabling and Associated Works' means the preparation of a site in readiness for the first stage of development: this includes (i) surveying, (ii) environmental and hazardous substance testing and sampling (including the making of trial boreholes, sampling and test pits in connection with such testing) (iii) soil tests, (iv) pegging out, (v) tree protection, (vii) ecological survey and mitigation works, (vii) archaeological investigation and (vi) demolition and removal of buildings and other structures on the site and site set up.

Proactive Statement:

0. 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.

Informative/s:

1. The construction works and operation of the proposed development site should be done in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the groundwater pollution risk. It should be noted that the construction works may exacerbate any existing pollution. If any pollution is found at the site, then the appropriate monitoring and remediation methods will need to be undertaken.

   Any works involving excavations below the groundwater table (for example, piling or the implementation of a geothermal open/closed loop system) should be avoided. If these are necessary, a ground investigation should first be carried out to identify appropriate techniques and to avoid displacing any shallow contamination to a greater depth, which could impact the aquifer.

   For further information we refer you to CIRIA Publication C532 "Control of water pollution from construction - guidance for consultants and contractors".

   Water efficiency
   Being within a water stressed area, we expect that the development includes water efficient fixtures and fittings. Additional measures such as rainwater harvesting and grey water recycling help the environment by reducing pressure for abstractions. They also minimise potable water use by reducing the amount of potable water used for washing, cleaning and watering gardens. This in turn reduces the carbon emissions associated with treating this water to a standard suitable for drinking and will help in our efforts to get emissions down in the borough.

   Infrastructure, connections and diversions
   It is noted that the applicant has had contact with our Developer Services Team prior to the submission of this application, as set out in the submitted utility statement.

   There are potentially water mains running through or near to the proposed development site. If the development goes ahead as proposed, the applicant/developer will need to get in contact with our Developer Services Team to discuss asset protection or diversionary measures. This can be done through the My Developments Portal (https://affinitywater.custhelp.com/) or

aw_developerservices@custhelp.com.

Due to its location, Affinity Water will supply drinking water to the development if it is constructed. Should planning permission be granted, the applicant is also requested to contact Developer Services as soon as possible regarding supply matters due to the increased demand for water in the area resulting from this development.

To apply for a new or upgraded connection, please contact our Developer Services Team by going through their My Developments Portal (https://affinitywater.custhelp.com/) or aw_developerservices@custhelp.com. The Team also handle C3 and C4 requests to cost potential water mains diversions. If a water mains plan is required, this can also be obtained by emailing maps@affinitywater.co.uk. Please note that charges may apply.

2. During the demolition and construction phase the guidance in BS5228-1:2009 (Code of Practice for noise Control on construction and open sites) should be adhered to.

The EP Team has a web-page that aims to provide advice to developers, which includes a copy of a Planning Advice Note on "Development on Potentially Contaminated Land and/or for a Sensitive Land Use" in use across Hertfordshire and Bedfordshire. This can be found on www.north-herts.gov.uk by searching for contaminated land

3. Further advice on waste provision for developments is available on our website. http://www.north-herts.gov.uk/home/planning/waste-and-recycling-provision this included details of the required capacity at each property.

Dropped kerbs should be provided to allow for ease of movement of bins to the collection vehicle and the pathway should be 1.5m in width taking the most direct route avoiding passing parked cars.

Storage areas should be conveniently located with easy access for residents - residents should not have to take their waste and recycling more than 30 metres to a bin storage area, or take their waste receptacles more than 25 metres to a collection point, (usually kerbside) in accordance with Building Regulations Approved Document H Guidance.

For flats, bins should be ordered direct from the Council's contractor 10 weeks in advance of first occupation to ensure they arrive in time for the first residents moving in.

For houses, bins should be ordered direct from the Council's contractor 2 weeks in advance of first occupation to ensure they arrive in time for the first residents moving in.

Pull distances from the storage point to the collection point should not be within close proximity to parked cars.

The applicant should note that collections occur from the kerbside and residents will be required to present their bins in this location on collection day.

Consideration should be given to parking arrangements alongside or opposite the access to individual streets. If car parking is likely in the vicinity of junctions then parking restrictions may be required to ensure access is not inhibited.

Separate internal storage provision for waste should be provided in kitchen areas

to support the recycling of different waste streams to support the National Planning Policy for Waste's requirements to support driving waste up the waste hierarchy.

The surface to the collection point should be uninterrupted, level with no gravel or similar covering, and have a width to enable the easy passage of wheeled bins. For two-wheeled bins this should be 1 metre for four-wheeled bins this should be 1.5 metres wide (including doorways), with a maximum gradient of 1:12.

We do not advise the use of bin compactors, as they often cause excessive damage to bins or cause waste to get stuck inside bins. If bin compactors are used on site you should advise your waste collection contractor. Large scale waste compactors may be appropriate for industrial units.

For flats and commercial properties:-

Doors to bin stores should be sufficient in widths to allow the movement of bins at their widest and prevent entrapment of limbs. This is likely to be a minimum of 20cm in addition to the widest bin contained in the bin store.

Walls and doors should have protection strips to prevent damage and a mechanism for holding doors open should be available. Doors should ideally be keypad entry or standard fire brigade keys. We do not support the use of electronic key fobs.

Bins in communal bin stores should be manoeuvrable to the refuse collection vehicle without the need to move other bins.

4. A charging point shall be installed by an appropriately certified electrician/electrical contractor in accordance with the following specification. The necessary certification of electrical installation should be submitted as evidence of appropriate installation to meet the requirements of Part P of the most current Building Regulations.
Cable and circuitry ratings should be of adequate size to ensure a minimum continuous current demand for the vehicle of 16A and a maximum demand of 32A (which is recommended for Eco developments)
o A separate dedicated circuit protected by an RBCO should be provided from the main distribution board, to a suitably enclosed termination point within a garage or an accessible enclosed termination point for future connection to an external charge point.
o The electrical circuit shall comply with the Electrical requirements of BS7671: 2008 as well as conform to the IET code of practice on Electric Vehicle Charging Equipment installation 2012 ISBN 978-1-84919-515-7 (PDF). This includes requirements such as ensuring the Charging Equipment integral protective device shall be at least Type A RCD (required to comply with BS EN 61851 Mode 3 charging).
o If installed in a garage all conductive surfaces should be protected by supplementary protective equipotential bonding. For vehicle connecting points installed such that the vehicle can only be charged within the building, e.g. in a garage with a (non-extended) tethered lead, the PME earth may be used. For external installations the risk assessment outlined in the IET code of practice must be adopted, and may require additional earth stake or mat for the EV charging circuit. This should be installed as part of the EV ready installation to avoid significant on cost later.
o A list of authorised installers (for the Government's Electric Vehicle Homecharge Scheme) can be found at https://www.gov.uk/government/organisations/office-for-low-emission-vehicles
o Part S

5. Drainage

We ask that all surface and foul water drainage from the development area be directed away from Network Rail's retained land and structures into suitable drainage systems, the details of which are to be approved by Network Rail before construction starts on site.

Water must not be caused to pond on or near railway land either during or after any construction-related activity.

The construction of soakaways for storm or surface water drainage should not take place within 20m of the Network Rail boundary. Any new drains are to be constructed and maintained so as not to have any adverse effect upon the stability of any Network Rail equipment, structure, cutting or embankment.

The construction of soakaways within any lease area is not permitted.

The construction of surface water retention ponds/tanks, SuDS or flow control systems should not take place within 20m of the Network Rail boundary where these systems are proposed to be below existing track level. Full overland flow conditions should be submitted to Network Rail for approval prior to any works on site commencing.

The construction of surface water retention ponds/tanks, SuDS or flow control systems should not take place within 30m of the Network Rail boundary where these systems are proposed to be above existing track level. Full overland flow conditions should be submitted to Network Rail for approval prior to any works on site commencing.

If a Network Rail-owned underline structure (such as a culvert, pipe or drain) is intended to act as a means of conveying surface water within or away from the development, then all parties must work together to ensure that the structure is fit for purpose and able to take the proposed flows without risk to the safety of the railway or the surrounding land.

Wayleaves and or easements for underline drainage assets
The position of any underline drainage asset shall not be within 5m of drainage assets, sensitive operational equipment such as switches and crossings, track joints, welds, overhead line stanchions and line side equipment, and not within 15m of bridges, culverts, retaining walls and other structures supporting railway live loading.

Protection of existing railway drainage assets within a clearance area
There are likely to be existing railway drainage assets in the vicinity of the proposed works. Please proceed with caution.
No connection of drainage shall be made to these assets without Network Rail's prior consent to detailed proposals. Any works within 5m of the assets will require prior consent.
There must be no interfering with existing drainage assets/systems without Network Rail's written permission.
The developer is asked to ascertain with Network Rail the existence of any existing railway drainage assets or systems in the vicinity of the development area before work starts on site. Please contact Matthew Shelton (matthew.shelton@networkrail.co.uk) for further information and assistance.

Fail Safe Use of Crane and Plant
All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a "fail safe" manner such that in the event of mishandling, collapse or failure, no materials or plant are capable

of falling within 3.0m of the nearest rail of the adjacent railway line, or where the railway is electrified, within 3.0m of overhead electrical equipment or supports.

Excavations/Earthworks
All excavations/ earthworks carried out in the vicinity of Network Rail property/ structures must be designed and executed such that no interference with the integrity of that property/ structure can occur. If temporary works compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details. Where development may affect the railway, consultation with the Asset Protection Project Manager should be undertaken. Network Rail will not accept any liability for any settlement, disturbance or damage caused to any development by failure of the railway infrastructure nor for any noise or vibration arising from the normal use and/or maintenance of the operational railway. No right of support is given or can be claimed from Network Rails infrastructure or railway land.

Security of Mutual Boundary
Security of the railway boundary will need to be maintained at all times. If the works require temporary or permanent alterations to the mutual boundary the applicant must contact Network Rail's Asset Protection Project Manager.

Fencing
Because of the nature of the proposed developments we consider that there will be an increased risk of trespass onto the railway. The Developer must provide a suitable trespass proof fence adjacent to Network Rail's boundary (minimum approx. 1.8m high) and make provision for its future maintenance and renewal. Network Rail's existing fencing / wall must not be removed or damaged.

Method Statements/Fail Safe/Possessions
Method statements may require to be submitted to Network Rail's Asset Protection Project Manager at the below address for approval prior to works commencing on site. This should include an outline of the proposed method of construction, risk assessment in relation to the railway and construction traffic management plan. Where appropriate an asset protection agreement will have to be entered into. Where any works cannot be carried out in a "fail-safe" manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. "possession" which must be booked via Network Rail's Asset Protection Project Manager and are subject to a minimum prior notice period for booking of 20 weeks. Generally if excavations/piling/buildings are to be located within 10m of the railway boundary a method statement should be submitted for NR approval.

OPE
Once planning permission has been granted and at least six weeks prior to works commencing on site the Asset Protection Project Manager (OPE) MUST be contacted, contact details as below. The OPE will require to see any method statements/drawings relating to any excavation, drainage, demolition, lighting and building work or any works to be carried out on site that may affect the safety, operation, integrity and access to the railway.

Vibro-impact Machinery
Where vibro-compaction machinery is to be used in development, details of the use of such machinery and a method statement should be submitted for the approval of the

Local Planning Authority acting in consultation with the railway undertaker prior to the commencement of works and the works shall only be carried out in accordance with the approved method statement

ENCROACHMENT
The developer/applicant must ensure that their proposal, both during construction, and after completion of works on site, does not affect the safety, operation or integrity of the operational railway, Network Rail and its infrastructure or undermine or damage or adversely affect any railway land and structures. There must be no physical encroachment of the proposal onto Network Rail land, no over-sailing into Network Rail air-space and no encroachment of foundations onto Network Rail land and soil. There must be no physical encroachment of any foundations onto Network Rail land. Any future maintenance must be conducted solely within the applicant's land ownership. Should the applicant require access to Network Rail land then must seek approval from the Network Rail Asset Protection Team. Any unauthorised access to Network Rail land or air-space is an act of trespass and we would remind the council that this is a criminal offence (s55 British Transport Commission Act 1949). Should the applicant be granted access to Network Rail land then they will be liable for all costs incurred in facilitating the proposal.

Noise/Soundproofing
The Developer should be aware that any development for residential use adjacent to an operational railway may result in neighbour issues arising. Consequently every endeavour should be made by the developer to provide adequate soundproofing for each dwelling. Please note that in a worst case scenario there could be trains running 24 hours a day and the soundproofing should take this into account.

Trees/Shrubs/Landscaping
Where trees/shrubs are to be planted adjacent to the railway boundary these shrubs should be positioned at a minimum distance greater than their predicted mature height from the boundary. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary. We would wish to be involved in the approval of any landscaping scheme adjacent to the railway. Where landscaping is proposed as part of an application adjacent to the railway it will be necessary for details of the landscaping to be known and approved to ensure it does not impact upon the railway infrastructure. Any hedge planted adjacent to Network Rail's boundary fencing for screening purposes should be so placed that when fully grown it does not damage the fencing or provide a means of scaling it. No hedge should prevent Network Rail from maintaining its boundary fencing. Lists of trees that are permitted and those that are not permitted are provided below and these should be added to any tree planting conditions:

Acceptable: Birch (Betula), Crab Apple (Malus Sylvestris), Field Maple (Acer Campestre), Bird Cherry (Prunus Padus), Wild Pear (Pyrs Communis), Fir Trees - Pines (Pinus), Hawthorne (Cretaegus), Mountain Ash - Whitebeams (Sorbus), False Acacia (Robinia), Willow Shrubs (Shrubby Salix), Thuja Plicatat "Zebrina"
Not Acceptable: Acer (Acer pseudoplantanus), Aspen - Poplar (Populus), Small-leaved Lime (Tilia Cordata), Sycamore - Norway Maple (Acer), Horse Chestnut (Aesculus Hippocastanum), Sweet Chestnut (Castanea Sativa), Ash (Fraxinus excelsior), Black poplar (Populus nigra var, betulifolia), Lombardy Poplar (Populus nigra var, italica), Large-leaved lime (Tilia platyphyllos), Common line (Tilia x europea)
A comprehensive list of permitted tree species is available upon request.

Lighting
Where new lighting is to be erected adjacent to the operational railway the potential

for train drivers to be dazzled must be eliminated. In addition the location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway. Detail of any external lighting should be provided as a condition if not already indicated on the application.

Access to Railway
All roads, paths or ways providing access to any part of the railway undertaker's land shall be kept open at all times during and after the development.

Children's Play Areas/Open Spaces/Amenities
Children's play areas (including in this instance the school playing field), open spaces and amenity areas must be protected by a secure fence along the boundary of one of the following kinds, concrete post and panel, iron railings, steel palisade or such other fence approved by the Local Planning Authority acting in consultation with the railway undertaker to a minimum height of 1.8 metres and the fence should not be able to be climbed.

Network Rail is required to recover all reasonable costs associated with facilitating these works.

6. The provision of allotment should consider the advice and guidance contained in The National Allotment Society publication "21ST CENTURY ALLOTMENTS IN NEW DEVELOPMENTS"

7. HCC as Highway Authority recommends inclusion of the following Advisory Note (AN) to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980.

AN1) 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 website: https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx

AN2) 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 works commence. Further information is available via the website: https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx

AN3) 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/business-

and-developer-information/development-management/highways-development-management.aspx