

ENVIRONMENTAL IMPACT ASSESSMENT- ENVIRONMENTAL STATEMENT SUPPLEMENTARY NOTE – INFRASTRUCTURE RESERVED MATTERS APPLICATION OF 18/01154/OP - HIGHOVER FARM, HITCHIN

13 December 2024, reference SRS/503/55/1/ESSN

INTRODUCTION

1. This Environmental Statement Supplementary Note (ESSN) is in support of a reserved matters application for strategic infrastructure, 'the Infrastructure RM Application'. The Infrastructure RM Application area forms part of the wider Highover Farm development site which has outline planning permission (18/01154/OP), granted on 29 November 2024 for the following description of development:

'Outline application with all matters reserved other than access, comprising residential led development of up to 700 dwellings of use class C3, approximately 500sqm of neighbourhood-level facilities, a new 2 FE 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).'

2. The outline application 18/01154/OP was accompanied by an Environmental Statement (ES) (see detailed EIA History below). It was prepared and submitted under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (herein 'The Regulations') rather than the 2017 version as the Scoping Opinion was made prior to the 2017 Regulations coming into force.
3. Under The Regulations, a 'subsequent application' is '*an application for approval of a matter where the approval – (a) is required by or under a condition to which a planning permission is subject, and (b) must be obtained before all or part of the development permitted by the planning permission may be begun*', and 'subsequent consent' is '*a consent granted pursuant to a subsequent application*'.
4. The Infrastructure RM Application, subject of this ESSN, is a 'subsequent application'.
5. Regulation 8 states:
 - (1) '*This regulation applies where it appears to the planning authority that –*
 - (a) *An application which is before them for determination – (i) is a subsequent application in relation to Schedule 1 or Schedule 2 development, (ii) has not itself been the subject of a screening opinion or screening direction, and (iii) is not accompanied by a statement referred to by the applicant as an environmental statement for the purposes of these Regulations; and*
 - (b) *Either – (i) the original application was accompanied by a statement referred to by the applicant as an environmental statement for the purposes of these Regulations, or (ii) the application is for the approval of a matter where the approval is required by or under a condition to which planning permission is deemed by section 10(1) of the Crossrail Act 2008 (a) is subject.*
 - (2) *Where it appears to the relevant planning authority that the environmental information already before them is adequate to assess the environmental effects of the development, they shall take that information into consideration in their decision for the subsequent consent.*
 - (3) *Where it appears to the relevant planning authority that the environmental information already before them is not adequate to assess the environmental effects of the development, they shall serve a notice seeking further information in accordance with regulation 22(1).'*
6. Regulation 8(1)(a) and (b)(i) applies. This ESSN sets out the history of the ES information already provided to assist the Council in its consideration that further environmental information is not required or necessary to be submitted in respect of this specific subsequent application.

EIA HISTORY

7. An Environmental Statement (ES) was submitted to North Hertfordshire District Council (NHDC) in April 2018 as part of a suite of documents accompanying a planning application (herein 'original ES') 18/0115/OP for the Proposed Development. The ES considered the following environmental topics in accordance with the Scoping Opinion –
 - Flood Risk Assessment and Drainage (Technical Appendix 8.1)

- Transport Assessment (TA) and travel plan (Technical Appendix 9.1)
 - Ecological Assessment (Technical Appendices 10.1-10.10)
 - Arboricultural Survey (Technical Appendix 11.1)
 - Noise Assessment (Technical Appendices 12.1 – 12.3)
 - Air Quality Assessment (Technical Appendices 13.1-13.5)
 - Agricultural Land Assessment (Technical Appendix 14.1)
 - Archaeological Assessments (Technical Appendices 15.1-15.3)
 - Socio Economic Impact Assessment
8. In December 2019, September 2020, and December 2021, three separate Supplementary ESs (SESSs) were prepared and submitted in accordance with Regulation 22(1) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended) ('The Regulations'). Each of these SESSs were necessary arising from the need to provide additional information and changes to the design and layout of the proposed development requested by NHDC, Hertfordshire County Council (HCC) as Highway Authority and Education Authority, statutory consultees like the Wildlife Trust and response from other consultees and general public. These were advertised and consulted on in accordance with The Regulations.
9. In January 2023, an ES Update Addendum was submitted. This was to reflect the fact that since December 2021, minor refinements have been made to the Illustrative Masterplan through the finalisation of the Strategic Masterplan Framework Document required under Policy SP9 of the adopted North Hertfordshire Local Plan (November 2022). The refinements did not alter the basis or impact assessment findings of the original ES or its SESSs, nor did they provide additional information that might have resulted in changes to the impact assessments. The key purpose of the January Addendum was to ensure that all plans and documents upon which the application relies were consistent with each other. It also acknowledged that the Local Plan had been adopted.
10. On the 6th of July 2023, the application (18/0115/OP) was presented to the NHDC Planning Committee with a recommendation for approval subject to the completion of a S106 Agreement. Notwithstanding that HCC Highway Authority advised no objection to the application or S106 highways mitigation package that had been agreed in accordance with its adopted Developer Contributions SPD (updated 2022), the Committee resolution was to defer 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'.* (Published minutes extract).
11. An ES Supplementary Note (August 2023) and Appendix (Supplementary Transport Note – Response to Matters Raised) was produced to reflect and reference the work undertaken to address that Committee resolution. This was advertised and consulted on in accordance with the Regulations. This document reviewed the following areas of the original Transport Assessment (TA) (Technical Appendix 9.1) and subsequent TA Addendum (TAA) part of the SES December 2019 –
- Committed and cumulative development to take into account development not already considered within the TA,
 - Traffic surveys – to review recent surveys to determine the significance of the growth assumptions,
 - Trip rates – to review the historical data used in the TA,
 - Financial contributions – consideration of the options that could be considered for future funding using Strand 2 contribution.

12. The conclusions of that review were -

- The traffic surveys reported at the time of the original TA work and now supplemented with more up-to-date data, remain and are robust,
- The trip rates used within the original TA and TAA and now supplemented by examination of a recent development in close proximity to the Proposed Development, remain and are robust,
- The cumulative impact, now supplemented with additional data from site granted planning permission subsequent to the original TA reporting, remains negligible in impact, i.e., not severe as set out in paragraph 111 of the NPPF.
- The Strand 2 financial contributions are in accordance with the adopted HCC Guide to Developer Infrastructure Contributions SPD and the formula-based approach that it advocates based on an amount per dwelling, which for the Proposed Development of 700 dwellings is £3,382,572. A number of schemes have been identified by HCC Highways to improve sustainable transport options on the wider highway network that these monies can be attributed to.
- The original ES and its TA and subsequent SESs and the conclusions reported therein (specifically relating to transport matters and impacts) remain valid.

THE INFRASTRUCTURE RESERVED MATTERS APPLICATION

13. This is the first reserved matters submission. The Infrastructure RM Application seeks approval for the following –

'The construction of the main spine road (The Avenue) from its connection with the proposed roundabout on Stotfold Road through and connecting to High Dane, creation of drainage ponds, swales and other associated drainage infrastructure, signage and other necessary highway and service infrastructure (to serve future development plots) in accordance with condition 3 of 18/01154/OP and the partial discharge of conditions 7, 9, 11.'

14. The Infrastructure RM Application Site falls within the administrative area of North Hertfordshire District Council ("the Council").

15. The conditions on the outline planning permission require the construction and completion of The Avenue prior to the commencement/occupation of any of the dwellings. The Avenue also provides access to the primary school which has to be constructed early in the development. The drainage regime for The Avenue is quite complex as the majority drains to the north where the detention basin is located, but a small section drains to the south-west corner. Consequently, a considerable amount of drainage infrastructure has to be included as part of this Infrastructure RM Application.

16. The principles of both The Avenue and the associated (and Site wide) drainage have already been set out and agreed in principle through the environmental information submitted as part of the outline application and permission. The Infrastructure RM Application is providing the necessary detail.

17. Condition 6 of the outline permission requires that a Design Code be submitted and approved either prior to or concurrently with the first reserved matters. The Design Code has been produced in conjunction and collaboration with the Council and its consultants, Hyas, to guide the detail design of the Highover Farm development. A separate application has been submitted to discharge condition 6.

18. Similarly, condition 5 requires the submission of a Site Wide phasing and Delivery Plan (SWDP) either prior to or concurrently with the first reserved matters. A separate application has been submitted to discharge condition 5.

19. Details to effect a partial discharge of conditions 7, 9 and 11 (highway detail, lighting and landscaping) in so far as they relate to The Avenue and associated drainage primary infrastructure are provided within the Infrastructure RM Application itself.

ASSESSMENT COMMENTARY

20. As set out in paragraphs 7-12 of this ESSN, there is considerable environmental information that has been submitted over a number of years, including a recent (2023) specific review of the transport impact data. The ES concluded that the environmental impacts were predominantly limited to either negligible or minor significance, i.e., they were NOT significant.
21. With regard to the characteristics of the potential impact of the Proposed Development subject of the Infrastructure RM Application, the impacts, already assessed through the outline permission ES, would be limited to the immediate surroundings within the Site and views of the Proposed Development would not be overbearing on the immediate locality or wider area. Construction traffic impact was considered within the ES and routing will be controlled through the Construction Environmental Management Plan. The proposals do not directly affect any designated ecological sites or landscape designations. A watching brief will be in force during the construction of The Avenue and drainage runs/ponds as part of the mitigation strategy for archaeology agreed with the County Council.
22. The Proposed Development, i.e., the primary infrastructure, is unlikely to have any further impact on the environment over and above that which has already been considered.

CONCLUSIONS

23. Bearing in mind the information provided in this ESSN, it is considered that sufficient environmental information has already historically been provided to enable the Council to determine the Infrastructure RM Application. Consequently, Regulation 8(2) is considered to have been satisfied and there is no need for further information to be requested or provided.