

# Public Document Pack

## NORTH HERTFORDSHIRE DISTRICT COUNCIL

### PLANNING CONTROL COMMITTEE

THURSDAY, 25TH JULY, 2024

### SUPPLEMENTARY DOCUMENTS

Please find attached supplementary papers relating to the above meeting, as follows:

**Agenda No    Item**

6.            **19/01669/FP - LAND ON THE SOUTH WEST SIDE OF STEVENAGE ROAD, ST IPPOLYTS, HERTFORDSHIRE** (Pages 3 - 6)

REPORT OF THE DEVELOPMENT AND CONSERVATION MANAGER

Erection of 14 dwellings including new vehicular access off Sperberry Hill (serving 10 dwellings) and new vehicular accesses off Stevenage Road (serving 4 dwellings) (as amended by plans received 13/11/23, 03/06/24 and 17/06/24)

7.            **23/00186/FP - LAND OFF MILKSEY LANE, GRAVELEY, HERTFORDSHIRE** (Pages 7 - 16)

REPORT OF THE DEVELOPMENT AND CONSERVATION MANAGER

Residential development comprising of 26 dwellings including creation of vehicular access off High Street and associated parking, drainage, landscaping and amenity space.

8.            **23/01885/FP - LAND AT POLICE ROW BETWEEN THE GRANGE AND 1 THE GRANGE, POLICE ROW, THERFIELD, HERTFORDSHIRE** (Pages 17 - 18)

REPORT OF THE DEVELOPMENT AND CONSERVATION MANAGER

Erection of 10 dwellings (6 x 3-bed, 3 x 4-bed and 1 x 5-bed ) including creation of vehicular access off Police Row, associated garaging, landscaping, drainage infrastructure and ancillary works (as amended by drawing nos. JBA 23\_231 01, JBA 23\_231 02, 19251-100A; -101B; -102B; -103B; 104C; -106C; -110B; -113B and -114B received on 09/02/2024, drawing no.SK04 received on 13/05/2024, drawing nos. 19251 - 107D; -1001G; -1002F; -1003F; -1005C received on 17/06/2024, and drawings nos. 19251 - 105D; -111B and -112D received 25/06/2024, drawings nos. 1925 - 1004F received 27th June 2024; and drawing -19328-THER-5-SK001-E received 3rd July 2024).

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## **19/01669/FP - Land On The South West Side Of Stevenage Road, St Ippolyts – Updates**

### **Update 1**

The County Council highways officer (HO) has provided formal comments on the application following the writing of the report, stating that they have no objections to the application, and have recommended four Conditions be attached to any permission granted.

The HO has also requested a financial contribution towards sustainable transport of **£135,240** (after indexation) towards:

*Package 5 - Stevenage to Hitchin, Luton and Luton Airport; To develop a multimodal corridor between Stevenage, Hitchin and Luton Airport that supports public transport and cycling through improvement of existing infrastructure.*

These comments are on the website, and giving significant weight to the HO comments, it is confirmed that the proposal with regard to highways matters is considered acceptable. Recommended Condition 24 will be removed, with the numbers of the following Conditions being amended accordingly.

### **Update 2**

Following the formal comments from the Highways Authority, section 6.0 Recommendation is amended. Recommendation B, which was subject to the resolution of the highway matters with additions to the Heads of Terms and new or amended conditions, is removed.

Therefore, the recommendation is that planning permission is resolved to be Granted subject to;

- A) The completion of a satisfactory legal agreement and the applicant agreeing to extend the statutory period in order to complete the agreement if required; and
- B) Conditions and informatives as set out in the report with the additional conditions as set out in Update 3 below.

### **Update 3**

In accordance with the HO response of 10 July 2024, their four recommended Conditions are to be added to the officer report, numbered from 29 to 32. The Conditions are:

29. Prior to the first occupation of the development hereby permitted the vehicular access shall be completed and thereafter retained as shown on drawing number 18142-1006 Rev G in accordance with details/specifications to be submitted to and approved in writing by the Local Planning Authority in consultation with the highway authority. Prior to use appropriate arrangements shall be made for surface water to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

Reason: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018). To comply with Policy T1 of the Local Plan.

30. Prior to the first occupation of the development hereby permitted a visibility splay shall be provided in full accordance with the details indicated on the approved drawing number 18142-1006 Rev G. The splay shall thereafter be retained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

Reason: To ensure that the level of visibility for pedestrians, cyclists and vehicles is satisfactory in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018). To comply with Policy T1 of the Local Plan.

31. No development shall commence until a Construction Management Plan 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: The Construction Management Plan / Statement shall include details of:

- a. Construction vehicle numbers, type, routing;
- b. Access arrangements to the site;
- c. Traffic management requirements
- d. Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
- e. Siting and details of wheel washing facilities;
- f. Cleaning of site entrances, site tracks and the adjacent public highway;
- g. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
- h. Provision of sufficient on-site parking prior to commencement of construction activities;
- i. Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
- j. where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements;
- k. Phasing Plan.

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). To comply with Policy T1 of the Local Plan.

32. Prior to the first use of the development hereby permitted, arrangement shall be made for surface water from the proposed development to be intercepted and disposed of separately so that it does not discharge onto the highway carriageway.

Reason: To avoid the carriage of extraneous material or surface water from or onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018). To comply with Policy T1 of the Local Plan.

#### **Update 4**

The applicant has agreed to the sustainable transport contribution requested by the HO. This contribution will be added to the Heads of Terms of the Legal Section 106 Agreement that remains to be completed (the HoT's are set out in 4.3.64 of the officer report).

#### **Update 5**

St Ippolyts Parish Council provided the following comments on 15 July 2024 (also on the website):

*There is a need to consider the installation of rooftop solar, as we previously advised in correspondence 1st March 2023 and furthermore road infrastructure concerns remain regarding parking and traffic management.*

It is considered that the recent new comments from the Highways Officer addresses concerns relating to impacts on public highways, and parking within the site for the development is considered acceptable as set out in the report.

Rooftop solar is not proposed, however the new dwellings are proposed to be energy efficient and will include air source heat pumps, which are considered to provide acceptable reductions of expected carbon emissions. There is no current policy basis to require the provision of solar panels.

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# Agenda Item 7

## 23/00186/FP – Land at Milksey Lane, Graveley – Updates

### Update 1 – Report clarifications:

- In paragraph 4.2.3 of the report, it states that the application was amended by plans received on the 12<sup>th</sup> May 2023. This should read “by plans received in January 2024”.

### Update 2 – NHC Conservation Officer comments:

- The officer report states that no comments were received from a Conservation Officer. Comments from the Conservation Officer were received on the 10<sup>th</sup> July 2024 and raised no objection to the proposed development. The comment is set out below:

*“Having reviewed the latest layout plan they have moved proposed built form away from the boundary of Graveley House (listed) which is welcomed as is the setting back of the proposed dwellings to avoid populating the segment of the site that is within the CA which is define in the appraisal document is predominantly rural in character.*

*As for the materials they are supportable as they reflect the current palette of materials within the CA.”*

### Update 3 – Revised comments from HCC Growth & Infrastructure

- Revised comments were received on 24/07/24 from HCC’s Growth & Infrastructure Unit correcting their calculations for s106 contributions sought. The revised s106 table is below:

<b>Element</b>	<b>Detail</b>	<b>Justification</b>
Graveley PC Play Area	Play area, railings to the pond and improvements to the footpath on Graveley Lane  £30,600 to be index linked.	Policy SP7 Infrastructure requirements and developer contributions
NHC Monitoring Fee	Monitoring fee (based on 2.5% of the contributions collected by NHC) Based on £30,600 contribution, the monitoring fee would be £765	Policy SP7 Infrastructure requirements and developer contributions
Primary Education (HCC)	Primary Education Contribution towards the delivery of a new primary school in the area provision serving the development	Policy SP7 Infrastructure requirements and developer contributions

	<b>£321,557 index linked to BCIS 1Q2022</b>	Developer Contributions SPD  HCC 'Guide to Developer Infrastructure Contributions' 2022
Secondary Education Contribution (HCC)	towards the delivery of new secondary education provision at the former Barnwell East site/ land at Redwing Close and/or provision serving the development  <b>£312,445 index linked to BCIS 1Q2022</b>	Policy SP7 Infrastructure requirements and developer contributions Developer Contributions SPD  HCC 'Guide to Developer Infrastructure Contributions' 2022
Nursery Education	In instances where new primary school provision is required, the equivalent nursery provision should also be provided at the new school. The indicative level of contributions towards Nursery provision which HCC would be seeking from this development are included within the primary education contribution. Nursery provision will be included.	Policy SP7 Infrastructure requirements and developer contributions Developer Contributions SPD  HCC 'Guide to Developer Infrastructure Contributions' 2022
Childcare Contribution	towards increasing the capacity of 0-2 year old childcare facilities at Stevenage or the surrounding area and/or provision serving the development  <b>£20,335 index linked to BCIS 1Q2022</b>	Policy SP7 Infrastructure requirements and developer contributions Developer Contributions SPD  HCC 'Guide to Developer Infrastructure Contributions' 2022
Childcare Contribution	towards increasing the capacity of 5-11 year old childcare facilities at Stevenage or the surrounding area and/or provision serving the development  <b>£255 index linked to BCIS 1Q2022</b>	Policy SP7 Infrastructure requirements and developer contributions Developer Contributions SPD  HCC 'Guide to Developer Infrastructure Contributions' 2022
Special Educational Needs and Disabilities (SEND) Contribution	towards new Severe Learning Difficulty (SLD) special school places (EAST) and/or provision serving the development  <b>£33,114 index linked to BCIS 1Q2022</b>	Policy SP7 Infrastructure requirements and developer contributions Developer Contributions SPD  HCC 'Guide to Developer Infrastructure Contributions' 2022
Library Service Contribution	towards the delivery of a new centre in Stevenage and/or provision serving the development	Policy SP7 Infrastructure requirements and developer contributions



	<b>£8,434 index linked to BCIS 1Q2022</b>	Developer Contributions SPD HCC 'Guide to Developer Infrastructure Contributions' 2022
Youth Service Contribution	towards the delivery of a new centre for the Bowes Lyon Young People's Centre and/or provision serving the development <b>£6,948 index linked to BCIS 1Q2022</b>	Policy SP7 Infrastructure requirements and developer contributions Developer Contributions SPD HCC 'Guide to Developer Infrastructure Contributions' 2022
Waste Service Recycling Centre Contribution	towards the expansion of Stevenage Recycling Centre and/or provision serving the development <b>£2,384 index linked to BCIS 1Q2022)</b>	Policy SP7 Infrastructure requirements and developer contributions Developer Contributions SPD HCC 'Guide to Developer Infrastructure Contributions' 2022
Waste Service Transfer Station Contribution	towards the new provision of Northern Transfer Station and/or provision serving the development <b>£4,465 index linked to BCIS 3Q2022</b>	Policy SP7 Infrastructure requirements and developer contributions Developer Contributions SPD HCC 'Guide to Developer Infrastructure Contributions' 2022
Monitoring Fees	HCC will charge monitoring fees. These will be based on the number of triggers within each legal agreement with each distinct trigger point attracting a charge of £340 (adjusted for inflation against RPI July 2021). For further information on monitoring fees please see section 5.5 of the Guide to Developer Infrastructure Contributions.	HCC 'Guide to Developer Infrastructure Contributions' 2022

Update 4 – Updated and amended list of proposed conditions:

The wording of condition 3 (details of materials) has been changed from “prior to commencement” to “prior to the commencement of above ground works”.

Condition 19, which relates to EV charging points, has been removed. This condition would overlap with the requirement for EV charging point installation through Part S of the Building Regulations.

List of Conditions:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with the provisions of Section 91 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 wholly in accordance with the details specified in the application and supporting approved documents and plans listed above.

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

3. Prior to the commencement of above ground works, details and/or samples of materials to be used on all external elevations and the roofs of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority and the approved details shall be implemented on site.

Reason: To ensure that the development will have an acceptable appearance which does not detract from the appearance and character of the surrounding area and to comply with Policy D1 of the North Hertfordshire Local Plan 2011 to 2031.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended no development as set out in Classes A, B, and C of Part 1 of Schedule 2 to the Order, (or any subsequent Statutory Instrument which revokes, amends and/or replaces those provisions) shall be carried out without first obtaining a specific planning permission from the Local Planning Authority.

Reason: Given the nature of this development, the Local Planning Authority considers that development which would normally be "permitted development" should be retained within planning control in the interests of the character and amenities of the area and to comply with Policy D1 and/or Policy D3 of the North Hertfordshire Local Plan 2011 to 2031.

5. A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of the development. The content of the LEMP shall be informed by the Landscape Strategy Plan drawing ED14209-011 dated 10.01.24 and include the following.

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management, to be informed by an updated ecological walkover survey.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.

- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward).
- g) Details of the body or organization responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

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 ensure the proposal has regard for the long term management and maintenance of habitats and ecology within the site, in line with Policy NE2 and NE4 of the Local Plan.

6. Before commencement of the development, a 'Construction Traffic Management Plan' shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The 'Construction Traffic Management Plan' must set out:

- the phasing of construction and proposed construction programme.
- the methods for accessing the site, including wider construction vehicle routing.
- the numbers of daily construction vehicles including details of their sizes, at each phase of the development.
- the hours of operation and construction vehicle movements.
- details of any highway works necessary to enable construction to take place.
- details of construction vehicle parking, turning and loading/unloading arrangements clear of the public highway.
- details of any hoardings.
- details of how the safety of existing public highway users and existing public right of way users will be maintained.
- management of traffic to reduce congestion.
- control of dirt and dust on the public highway, including details of the location and methods to wash construction vehicle wheels.
- the provision for addressing any abnormal wear and tear to the highway.
- the details of consultation with local businesses or neighbours.
- the details of any other Construction Sites in the local area.
- waste management proposals.

Reason: To minimise the impact of the construction process on the on local environment and local highway network.

7. Prior to first occupation of the development hereby permitted, the internal road layout, footways, turning heads, shared surface, on-site parking arrangements, all on site vehicular areas shall be accessible, surfaced and marked in a manner to the Local Planning Authority's approval so as to ensure satisfactory access for all and parking of vehicles outside highway limits. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: In order to minimise danger, obstruction, and inconvenience to users of the highway and of the premises.

8. No part of the development hereby permitted shall be brought into use until the access to the site has been completed and surfaced in a bound material in accordance with approved plan reference no. C86483 JNP 66 XX DR T 1001 rev P06, dated 04.01.23.

Reason: To ensure the provision of a vehicle access which is safe, suitable, and sustainable for all highway users.

9. No part of the development hereby permitted shall be brought into use until the visibility splays shown on drawing no. drwg reference no. C86483 JNP 66 XX DR T 1001 rev P06, dated 04.01.23, are provided. The area within the visibility splays referred to in this condition shall thereafter be kept free of all obstructions, structures or erections exceeding 1.05 metres in height.

Reason: To ensure the provision of the main vehicle access which is safe, suitable, and sustainable for all highway users.

10. No part of the development hereby permitted shall be brought into use until all drives and any parking or turning areas are surfaced in a hard bound material (not loose gravel). The surfaced drives and any parking or turning areas shall then be maintained in such hard bound material for the life of the development.

Reason: To avoid carriage of extraneous material or surface water from or onto the highway in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

11. The gradient of the main access roads shall not be steeper than 1 in 20.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policy 5, of Hertfordshire's Local Transport Plan 4.

12. No demolition/development shall take place/commence 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.

Reason: To 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.

13. The demolition/development shall take place/commence in accordance with the programme of archaeological works set out in the Written Scheme of Investigation approved under condition 12.

Reason: To 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.

14. The development shall not be occupied/used until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 12 and the provision made for analysis and publication where appropriate.

Reason: To 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.

15. Full details of a construction phasing and environmental management programme for the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works or development (including any pre-construction or enabling works). The construction project shall thereafter be carried out in complete accordance with the approved phasing programme unless otherwise agreed in writing by the Local Planning Authority. The phasing programme shall include the following elements:

- i) hours of construction operations including times of deliveries and removal of waste;
- ii) measures to minimise dust, noise, machinery and traffic noise impacts during construction;
- iii) site set up and general arrangements for storing plant including cranes, materials, machinery and equipment, temporary offices and other facilities, construction vehicle parking and loading/unloading and vehicle turning areas;
- iv) the location of construction traffic routes to and from the site, details of their signing, monitoring and enforcement measures;
- v) screening and hoarding details, to protect neighbouring residents;
- vi) end of day tidying procedures to ensure protection of the site outside the hours of construction. The construction activities shall be designed and undertaken in accordance with the code of best practice set out in British Standard 5228 1997 and with the agreed details unless otherwise agreed in writing by the Local Planning Authority;
- vii) wheel washing facilities for construction vehicles leaving the site;
- viii) storage and removal of building waste for disposal or recycling.

Reason: To ensure the correct phasing of development in the interests of minimising disruption nearby residents during construction, minimising any environmental impacts, in the interests of highway safety and amenity.

16. Prior to the first occupation of the proposed development, the 1.8m high close boarded fencing and 1.8m brick screen walls specified in Section 5.3 and appendix A of "Land south of Milksey Lane, Gravely, Planning Noise Assessment" Report Reference RJ59/21213/2 version 2 21st December 2022 by Spectrum Acoustic Consultants shall be implemented and retained and maintained thereafter.

Reason: To protect the residential amenity of future residents.

17. No development approved by this permission shall take place until the following has been submitted to and approved in writing by the Local Planning Authority:

- A Phase 1 Desk Study report documenting the ground conditions of the site with regard to potential contamination;
- A Phase 2 Site Investigation (where shown as necessary the Phase 1 Desk Study);
- A Phase 3 Remediation Scheme (where shown as necessary by the Phase 2 Site Investigation)

All such work shall be undertaken in accordance with BS:10175:2011 or other appropriate guidance issued by the regulatory authorities. The work shall be sufficient to ensure that measures will be taken to mitigate any risks to human health and the wider environment.

Reason: To protect human health and to ensure that no future investigation is required under Part 2A of the Environmental Protection Act 1990.

18. Prior to any permitted dwelling being occupied a validation report shall be submitted and approved in writing by the Local Planning Authority to demonstrate the effectiveness of any agreed Remediation Strategy. Any such validation shall include responses to any unexpected contamination discovered during works.

Reason: To protect human health and to ensure that no future investigation is required under Part 2A of the Environmental Protection Act 1990.

~~19. Prior to occupation, each of the proposed 26 new dwellings shall incorporate an Electric Vehicle (EV) ready domestic charging point.~~

~~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.~~

20. Prior to the commencement of development, construction drawings of the surface water drainage network, associated sustainable drainage components and flow control mechanisms and a construction method statement shall be submitted and agreed in writing by the local planning authority. The scheme shall then be constructed as per the agreed drawings, method statement, FRA & Drainage Strategy (Arden Consulting, Ref: 2100461-01 Rev A, May 2022) and Flood Risk and Drainage Technical Note (MEC Consulting Group, Ref: 28525-FLD-0101, March 2024.) and remaining in perpetuity for the lifetime of the development unless agreed in writing by the Local Planning Authority. No alteration to the agreed drainage scheme shall occur without prior written approval from the Local Authority. The scheme shall address the following matters:

- i. Drawings showing the routes for the management of exceedance flow routes in the unlikely event of a failure of the drainage system (for blockage or exceedance). Flow routes shall minimise the risk to people and property during rainfall events in excess of 1% AEP (1 in 100) rainfall event plus climate change allowance.
- ii. Development shall be constructed to include all new residential dwellings to have a finished floor level raised a minimum of 300mm above any flood level and 150mm above the surrounding proposed ground level unless otherwise first approved in writing by the Local Planning Authority.

Reason: To ensure that the development achieves a high standard of sustainability and to comply with the NPPF and Policies of North Hertfordshire District Council.

21. The development hereby approved shall not be occupied until details of the maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented prior to the first occupation of the development hereby approved and thereafter managed and maintained in accordance with the approved details in perpetuity. The Local Planning Authority shall be granted access to inspect the sustainable drainage scheme for the lifetime of the development. The details of the scheme to be submitted for approval shall include:

I. a timetable for its implementation.

II. details of SuDS feature and connecting drainage structures and maintenance requirement for each aspect including a drawing showing where they are located.

III. details of how access to the watercourse will be maintained for flood management inspection and maintenance by both vehicular (large, heavy vehicles) and pedestrian access.

IV. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime. This will include the name and contact details of any appointed management company.

Reason: To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with NPPF and Policies of North Hertfordshire District Council.

22. Upon completion of the surface water drainage system, including any SuDS features, and prior to the first use of the development; a survey and verification report from an independent surveyor shall be submitted to and approved in writing by the Local Authority. The survey and report shall demonstrate that the surface water drainage system has been constructed in accordance with the details approved pursuant to Condition 21. Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed with the findings submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the flood risk is adequately addressed, not increased and users remain safe for the lifetime of the development in accordance with NPPF and Policies of North Hertfordshire District Council

23. No development shall take place until a Site Waste Management Plan (SWMP) for the site has been submitted to the Local Planning Authority and approved in consultation with the Waste Planning Authority. The SWMP should aim to reduce the amount of waste produced on site and should contain information including estimated types and quantities of waste to arise from construction and waste management actions for each waste type. The development shall be carried out in accordance with the approved SWMP.

Reason: To promote the sustainable management of waste arisings and contribution towards resource efficiency, in accordance with Policy 12 of the Hertfordshire Waste

24. 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.

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

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality, and to comply with Policy NE2 of the North Hertfordshire Local Plan 2011 to 2031.



## **23/01885/FP - LAND AT POLICE ROW BETWEEN THE GRANGE AND 1 THE GRANGE, POLICE ROW, THERFIELD, HERTFORDSHIRE**

Written update to Planning Control Committee on 25<sup>th</sup> July 2024:

At the time of writing (Tuesday 23<sup>rd</sup> July 2024), there are the following updates for members since the publication of the Agenda and reports pack for Planning Control Committee.

- 1) We have received a draft S106 agreement from the applicant's legal representative, which has been forwarded on to the Councils Legal Team for action in the event that the committee decide to resolve to grant planning permission.
  
- 2) The current recommendation which is a resolution to grant subject to "the receipt of the Impact Assessment and Conservation Payment Certificate following an application to Natural England under the Great Crested Newt (GCN) District Level Licensing (DLL) and a response of no objection from the North Herts Ecologist" is proposed to be amended to the following "receipt of the Impact Assessment and Conservation Payment Certificate following an application to Natural England under the GCN DLL **or any other means of receiving a** no objection from the North Herts Ecologist". This is in light of the applicants considering alternative options to the Natural England GCN DLL that would suitably offset the potential harm to GCNs.
  
- 3) It is acknowledged in the report to Committee that the Highway Authority are maintaining an objection to this development, primarily relating to the refuse collection arrangements for this site. As covered in the report to members, Officers are of the view that the proposal, which includes arrangements for refuse collection from Police Row, is acceptable in the planning balance. It is considered that refusal of planning permission based upon this Highways objection is not a sustainable reason for refusal, taking all other material planning considerations into account.

Nevertheless, officers acknowledge that the objection from the Highway Authority weighs against the proposal and if this matter can be resolved without material amendments to the layout, which risk compromising the design integrity of the current design, then officers consider that this should be explored further. As such, in a meeting with HCC Highway Officers last week, they confirmed that refuse collection from within the site could be possible without significant amendments to that layout. Therefore, should members consider that refuse collection from Police Row as currently proposed and considered acceptable by Officers is unacceptable this should

not form the basis for refusal of planning permission as this matter is addressed by the proposed amended recommendation, which is now as follows:

That planning permission be resolved to be GRANTED subject to

- A) The completion of a S106 agreement in line with the agreed Heads of Terms;
- B) The receipt of the Impact and Conservation Payment Certificate following an application to Natural England under the GCN District Level Licensing (DLL) or any other means to address impact on GCN and a response of no objection from the North Herts Ecologist.
- C) Seeking to address the objection from the Highway Authority relating to refuse collection, which the Highway Authority have indicated can be reasonably achieved, and this matter is delegated to the Development and Conservation Manager and the Chair of Planning Control Committee, so that this application would not need to come back to Planning Committee for this reason alone;
- D) The agreement to an extension of time to the statutory determination date to allow time for (A), (B) and (C) to occur; and
- E) The conditions and informatives recommended in the report, and any other reasonable and necessary conditions that are recommended by the Highway Authority.