

**NORTH HERTFORDSHIRE DISTRICT COUNCIL**



04 December 2020

Our Ref Planning Control - 17.12.2020  
Contact. Committee Services  
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To: Members of the Committee: Councillors Ruth Brown, Daniel Allen, Val Bryant, Morgan Derbyshire, Mike Hughson, Tony Hunter, David Levett, Ian Moody, Sue Ngwala, Sean Prendergast, Mike Rice and Tom Tyson

Substitutes: Councillors David Barnard, Sam Collins, George Davies, Ian Mantle, Michael Muir, Carol Stanier and Kay Tart

**NOTICE IS HEREBY GIVEN OF A**

**MEETING OF THE PLANNING CONTROL COMMITTEE**

to be held as

**A VIRTUAL MEETING**

On

**THURSDAY, 17TH DECEMBER, 2020 AT 7.30 PM**

Yours sincerely,

Jeanette Thompson  
Service Director – Legal and Community

**\*\*MEMBERS PLEASE ENSURE THAT YOU DOWNLOAD ALL AGENDAS AND REPORTS VIA THE MOD.GOV APPLICATION ON YOUR TABLET BEFORE ATTENDING THE MEETING\*\***

## **Agenda** **Part I**

<b>Item</b>	<b>Page</b>
<b>1. WELCOME AND REMOTE/PARTLY REMOTE MEETINGS PROTOCOL SUMMARY</b> Members are requested to ensure that they are familiar with the attached summary of the Remote/Partly Remote Meetings Protocol. The full Remote/Partly Remote Meetings Protocol has been published and is available here: <a href="https://www.north-herts.gov.uk/home/council-and-democracy/council-and-committee-meetings">https://www.north-herts.gov.uk/home/council-and-democracy/council-and-committee-meetings</a> .	(Pages 5 - 6)
<b>2. APOLOGIES FOR ABSENCE</b>	
<b>3. NOTIFICATION OF OTHER BUSINESS</b> Members should notify the Chair of other business which they wish to be discussed at the end of either Part I or Part II business set out in the agenda. They must state the circumstances which they consider justify the business being considered as a matter of urgency.  The Chair will decide whether any item(s) raised will be considered.	
<b>4. CHAIR'S ANNOUNCEMENTS</b> Members are reminded that any declarations of interest in respect of any business set out in the agenda, should be declared as either a Disclosable Pecuniary Interest or Declarable Interest and are required to notify the Chair of the nature of any interest declared at the commencement of the relevant item on the agenda. Members declaring a Disclosable Pecuniary Interest must withdraw from the meeting for the duration of the item. Members declaring a Declarable Interest, wishing to exercise a 'Councillor Speaking Right', must declare this at the same time as the interest, move to the public area before speaking to the item and then must leave the room before the debate and vote.	
<b>5. PUBLIC PARTICIPATION</b> To receive petitions, comments and questions from the public.	
<b>6. 20/01564/FP LAND ADJACENT TO DUNGARVAN, BACK LANE, PRESTON, HERTFORDSHIRE, SG4 7UJ</b> <b>REPORT OF THE DEVELOPMENT AND CONSERVATION MANAGER</b>  Erection of one detached 4-bed and two detached 5-bed dwellings including garages and creation of vehicular access off Back Lane (as amended by plan received 19.11.2020).	(Pages 7 - 34)

7. **20/02371/LBC HITCHIN TOWN HALL, BRAND STREET, HITCHIN, HERTFORDSHIRE, SG5 1HX** (Pages 35 - 46)  
REPORT OF THE DEVELOPMENT AND CONSERVATION MANAGER
- Replace existing wood floor to Hitchin Town Hall using solid oak floor planks secret nailed/ glued to new hardwood support battens.
8. **20/01638/FP LAND TO THE REAR OF NOS 61 AND 61A RADCLIFFE ROAD, HITCHIN, SG5 1QG** (Pages 47 - 64)  
REPORT OF THE DEVELOPMENT AND CONSERVATION MANAGER
- Conversion and extension of existing outbuildings to form two semi-detached 3-bed dwellings including creation of vehicular access off Radcliffe Road together with associated parking and amenity area (as amended by plan received 21.10.20).
9. **20/02474/FP ASHCROFT, SLIP LANE, OLD KNEBWORTH, KNEBWORTH, HERTFORDSHIRE, SG3 6QG** (Pages 65 - 84)  
REPORT OF THE DEVELOPMENT AND CONSERVATION MANAGER
- Erection of one detached 4-bed dwelling including creation of vehicular access off Slip Lane.
10. **20/01017/FP LAND SOUTH OF DURHAM WAY, ROYSTON GATEWAY, ROYSTON, HERTFORDSHIRE, SG8 5GX** (Pages 85 - 122)  
REPORT OF THE DEVELOPMENT AND CONSERVATION MANAGER
- Erection of three Class E (former B1C, B2 and B8) units with associated car parking and ancillary works.
11. **PLANNING APPEALS**  
To receive a verbal update from the Development and Conservation Manager.

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## REMOTE/PARTLY REMOTE MEETINGS PROTOCOL SUMMARY

A protocol regarding remote meetings has been devised as a result of The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020 No.392 ('the Regulations') to provide guidance for the conduct of any remote meeting of the Council, and its various Committees and Sub-Committees, held under the provisions of the Regulations and subsequent changes to the Constitution.

The full Remote / Partly Remote Meetings Protocol has been published and is available to view on the Council's website via the following link: <https://www.north-herts.gov.uk/home/council-and-democracy/council-and-committee-meetings>

The Council's adopted Constitution will continue to apply to meetings of the Council and its various Committees and Sub-Committees. Where there is a conflict between the protocol and Constitution the Constitution takes precedence.

The protocol applies to this meeting. It outlines processes for conducting remote meetings. Some key points are highlighted here for guidance:

- Prior to the start of a meeting the Committee, Member and Scrutiny Officer/Manager ('The Officer') will confirm the meeting is being streamed live. They will confirm that they can see and hear all participating Members, Officers and/or members of the public at the start or upon reconvening a meeting.
- Any person attending the meeting remotely should join no later than 15 minutes prior to allow for technical checks. They should ensure that their name on screen appears in the agreed format, as indicated in the Protocol. They should mute their microphone when not speaking. Their background should be nondescript or virtual/blurred if possible. Headsets are recommended to reduce audio feedback.
- Remember to stay in view of the camera. While on camera everything you do is visible; please observe as far as possible the etiquette you would as if attending a meeting in person.
- Be careful to prevent exempt or confidential papers being seen within the video-feed. When a meeting is in private session there should be only those entitled to be present in the room. The live stream will continue with a holding card displayed.
- If a Member wishes to speak, they should use the raise hand function. Please wait to be invited by the Chair to address the meeting. The normal procedure rules with respect to debate and speaking times will apply as per the Constitution.
- If a Member has declared a Disclosable Pecuniary Interest and is required to leave the meeting during the consideration of an item, they will be placed in the waiting room. It is the responsibility of the Member in question to remind the Chair at the start of such item. The Officer will remind the Chair to return the Member as appropriate.
- Members will need to use the tools in the "Participants" function to vote: using a green tick to indicate 'for', a red cross to indicate 'against', or the "raise hand" tool to indicate an abstention. Where a Member has had to dial into the meeting by telephone, the Chair will ask for verbal confirmation as to how they wish to vote. Leave the vote in situ until told otherwise by either the Chair or Officer.
- The Officer will clearly state the result of the vote and the Chair will then move on.
- Details of how Members voted will not be kept or minuted unless a Recorded Vote is requested or an individual requests that their vote be recorded, although voting may be seen and/or heard on the video recording.
- If there are Part 2 (confidential) items Members will be invited to join a breakout room for these items. You must accept this invitation.
- Once Part 2 (confidential) discussions have concluded Members will need to leave the breakout room. Please do not leave the meeting.

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<b>ITEM NO:</b>	
<u>Location:</u>	<b>Land Adjacent To Dungarvan Back Lane Preston Hertfordshire SG4 7UJ</b>
<u>Applicant:</u>	<b>Mrs S Boyle</b>
<u>Proposal:</u>	<b>Erection of one detached 4-bed and two detached 5-bed dwellings including garages and creation of vehicular access off Back Lane (as amended by plan received 19.11.2020).</b>
<u>Ref. No:</u>	20/01564/FP
<u>Officer:</u>	<b>Andrew Hunter</b>

**Date of expiry of statutory period :** 23.09.2020

### **Reason for Delay**

Amended details and Committee cycle

### **Reason for Referral to Committee**

The application is to be determined by Planning Control Committee by reason of the development being residential development with a site area of 0.5 hectares or greater (the site area is 0.98ha), as set out in 8.4.5 (a) of the Council's 2019 Scheme of Delegation.

### **1.0 Background**

1.1 Members will recall that this application was deferred from consideration at the Planning Control Committee of 15<sup>th</sup> October 2020 (the original report is attached as **Appendix A**) for the following reasons:

#### **RESOLVED:**

That application 20/01564/FP be **DEFERRED** planning permission for the following reasons:

- Members deferred the decision but were minded to grant planning permission. They are looking for a package of measures to seek compliance with Policy HD5 of the Preston Neighbourhood Plan, many of which are already in the scheme, including EV charging points. There is discussion in the policy of water conservation, biodiversity and landscaping. Officers will work with the applicant to seek this submission and report back to Members with a report focussed only on these matters.

1.2 The applicants have produced an amended site plan, and an Energy Strategy Statement that includes water conservation measures.

- 1.3 The amended site plan shows the following amendments with respect to biodiversity:
- Wildlife corridors on the side and rear boundaries consisting of tree and hedge planting.
  - Additional tree planting in plots 2 and 3.
  - New vegetation planting on the front boundary.

The Energy Strategy Statement proposes:

- Using a 'fabric first' approach to reduce energy demand through fabric efficiency such as low U-values, triple glazing and good air-tightness.
  - Efficient heating and use of air source heat pumps.
  - Open fire places for secondary heating.
  - A reduction in carbon emissions of 52.24% compared to those of the latest 2013 Building Regulations Part L1A.
  - A 38.74% reduction in the energy requirements of the site.
  - Total water consumption is proposed to be 108.47 litres/person/day, exceeding Building Regulations Part G maximum and minimum requirements of 125 and 110 litres/person/day.
- 1.4 The applicants consider through their supporting statement and consultation with the Local Planning Authority, that they have addressed the issue of lighting and CCTV as raised by the Planning Committee on 15<sup>th</sup> November. In view of the information submitted the application is reported back to the Planning Committee for determination.

## 2.0 **Policies**

- 2.1 See original report at **Appendix A**

## 3.0 **Representations**

- 3.1 All neighbours and the Parish Council notified of the original application, including statutory consultees have been re-notified of the proposed additional information. Responses received at the time of writing this report are set out below. Any further comments will be reported at the Committee meeting.

- 3.2 **Neighbours** – The following objections were received from Crunnells Green House:

- Inadequate amendments.
- Amended plan shows very few changes.
- Insufficient detail of new vegetation/planting.
- Wildlife areas are needed as hedges are not enough.
- Energy Statement refers to open fires and air source heat pumps, which are hard to see would provide a carbon reduction and do not work well in cold weather respectively.
- The measures relate to cost savings not energy savings.
- Would like to know what information about the surroundings of the site will be in the proposed Home User Guide.



#### 4.0 Discussion

4.1 This discussion concerns whether the additional measures proposed by the applicant comply with Policy HD5 of the Preston Neighbourhood Plan. Policy HD5 states:

*Policy HD5: Sustainability and Energy Efficiency:*

*Proposals for the provision of measures for water conservation and landscape schemes that improve biodiversity will be encouraged. Proposals with a low carbon footprint will be encouraged. The provision of electric car charging points for all new homes will also be supported as will proposals that enable residents to work from home. Prior to occupation, each residential property shall incorporate an Electric Vehicle (EV) ready, domestic charging point.*

4.2 Section 1.3 of this report sets out additional measures proposed by the applicant to comply with HD5 following the deferral of the application on the 15<sup>th</sup> October committee. EV charging was previously specified to be required by condition (with this condition to be retained), therefore the proposal would comply with that part of HD5.

4.3 To comply with the other parts of HD5, the amendments propose:

- New tree and hedge planting including wildlife corridors
- Reductions in carbon emissions of 52.24% compared to the latest Building Regulations standards, and a 38.74% reduction in the energy requirements of the site.
- Water use to be below current Building Regulations standards.

4.4 The above measures would result in biodiversity gains within the site through additional tree and vegetation planting and wildlife corridors (further details of which would be required by condition). The new dwellings would exceed current Building Regulations standards for carbon emissions and water use, and will be required by condition to comply with the measures in the Energy Strategy Statement.

#### 5.0 Conclusion

5.1 For the reasons above the proposal complies with Policy HD5 of the Preston Neighbourhood Plan, complies with all other relevant local and national policies, and that planning permission should be granted.

#### 5.2 Alternative Options

None.

#### 5.3 Pre-Commencement Conditions

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

## 6.0 **Legal Implications**

- 6.1 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.

## 7.0 **Recommendation**

- 7.1 That planning permission be **GRANTED** subject to the following 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. **Details and/or samples of materials to be used on all external elevations of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced 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.**

4. **Prior to commencement of the approved development, the following landscape details shall be submitted:**

**a) which, if any, of the existing vegetation is to be removed and which is to be retained – including details of tree cutting**

**b) what new trees, shrubs, hedges and grassed areas are to be planted, together with the species proposed and the size and density of planting**

**c) the location and type of any new walls, fences or other means of enclosure and any hardscaping proposed – hard surfaces shall be of porous materials, or provision shall be made to direct run-off water from the hard surfaces to a permeable or porous area or surface within the curtilages of the dwellings**

**d) details of any earthworks proposed**

**Reason: To ensure the submitted details are sufficiently comprehensive to enable proper consideration to be given to the appearance of the completed development.**

5. 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.

6. Prior to occupation, each detached property 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.

7. In connection with all site preparation and construction works, no plant or machinery shall be operated on the premises before 08.00hrs Monday to Saturday, nor after 18.00hrs on weekdays and 13.00hrs on Saturdays, not at any time on Sundays or Bank Holidays.

Reason: To protect the residential amenity of nearby residents.

8. Prior to the first occupation of the development hereby permitted the vehicular access shall be provided and thereafter retained at the position shown on the approved plans. Arrangement shall be made for surface water drainage 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.

9. Prior to the commencement of the approved development, a Landscape and Ecological Management Plan shall be submitted to the Local Planning Authority demonstrating a biodiversity gain within the site. The Plan if approved shall then be implemented prior to occupation of the development, and the approved measures shall remain unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of ecology.

10. Prior to the first occupation of the development hereby permitted the vehicular access shall be provided 4.2 metres wide and thereafter retained at the position shown on the approved plan drawing number 2020-04 PL.002. Arrangement shall be made for surface water drainage 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 of surface water from or onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

11. Prior to the first occupation of the development hereby permitted visibility splays measuring 2.4 metres x 35 metres shall be provided to each side of the access where it meets the highway and such splays shall always thereafter be maintained free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

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

12. The gradient of the vehicular access shall not exceed 1:20 for the first 5 meters into the site as measured from the near channel edge of the adjacent carriageway.

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

13. The access shall be constructed in a hard surfacing material for the first 5.0 metres from the back edge of the carriageway.

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

14. Prior to the first occupation of the development hereby permitted details of the waste bin storage area shall be submitted showing the location within 15 metres of the adjacent highway.

Reason: In order to provide adequate waste collection facilities within working distance of the adjacent highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan in the interests of highway safety.

15. No demolition/development shall take place/commence until an Archaeological Written Scheme of Investigation has been submitted to and approved in writing by the Local Planning Authority. 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 of 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: In the interests of archaeology.

16. No 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 15.

Reason: In the interests of archaeology.

17. 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 15 and the provision made for analysis and publication where appropriate.

Reason: In the interests of archaeology.

18. Land Contamination Condition

(a) No development approved by this permission shall be commenced prior to the submission to, and agreement of the Local Planning Authority of written information allowing a preliminary environmental risk assessment to be undertaken, which allows the creation of a Conceptual Site Model which indicates sources, pathways and receptors. It should identify the current and past land uses of this site (and adjacent sites), with a view to determining the presence of contamination likely to be harmful to human health, and the built and natural environment.

(b) If the Local Planning Authority is of the opinion that the report which discharges condition (a), above, indicates a reasonable likelihood of harmful contamination then 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

(c) 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 (b), above; has been submitted to and approved by the Local Planning Authority

(d) This site 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 (c) above have been fully completed 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 the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority.

(e) Any contamination, other than that reported by virtue of condition (a) and (b), encountered during the development of this site 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 this site.

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.

19. The development shall be completed in accordance with the measures set out in the Energy Strategy Statement (dated November 2020).

Reason: To minimise carbon emissions in the interests of the environment and climate change.

**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.

Location: Land Adjacent to Dungarvan  
Back Lane  
Preston  
Hertfordshire  
SG4 7UJ

Applicant: Mrs S Boyle

Proposal: Erection of one detached 4-bed and two detached 5-bed dwellings including garages and creation of vehicular access off Back Lane.

Ref. No: 20/01564/FP

Officer: Andrew Hunter

**Date of expiry of statutory period:**

23 September 2020

**Extension of statutory period:**

Agreed to 20<sup>th</sup> October.

**Reason for referral to Committee:**

The application is to be determined by Planning Control Committee by reason of the development being residential development with a site area of 0.5 hectares or greater (the site area is 0.98ha), as set out in 8.4.5 (a) of the Council's 2019 Scheme of Delegation.

1.0 **Site History**

1.1 88/00160/1 - Outline application (all matters reserved) for residential development – Refused 14/04/88.

1.2 83/00487/1 - Outline application (design and external appearance reserved) for the erection of one detached bungalow – Refused 22/09/83.

1.3 Both of the above applications were refused on the basis of encroachment into a rural location/ extending the built limits of the village. However, the 1988 application was also refused on grounds of being within the Preston Conservation area, with the second reason for refusal reading as follows:

*“The proposal would constitute an undesirable outward extension of the built-core of the village, within the Preston Conservation Area to the detriment of the pleasant open character and appearance of the southern part of the village, particularly in views along Back Lane and Crunnells Green.”*

## 2.0 **Policies**

### 2.1 **North Hertfordshire District Local Plan No.2 with Alterations**

Policy 6 – Rural areas beyond the Green Belt  
Policy 14 – Nature Conservation  
Policy 26 – Housing proposals  
Policy 55 – Car Parking Standards  
Policy 57 – Residential Guidelines and Standards

### 2.2 **National Planning Policy Framework**

Chapter 5 – Delivering a sufficient supply of homes  
Chapter 9 – Promoting sustainable transport  
Chapter 11 – Making effective use of land  
Chapter 12 – Achieving well-designed places  
Chapter 14 – Meeting the challenge of climate change, flooding and coastal change  
Chapter 15 – Conserving and enhancing the natural environment  
Chapter 16 - Conserving and enhancing the historic environment

### 2.3 **North Hertfordshire Draft Local Plan 2011-2031 - (Approved by Full Council April 2017)**

SP1 – Sustainable development in North Hertfordshire  
SP2 – Settlement Hierarchy  
SP6 – Sustainable transport  
SP8 - Housing  
SP9 – Design and sustainability  
SP11 – Natural resources and sustainability  
SP12 – Green infrastructure, biodiversity and landscape  
SP13 – Historic environment

T1 – Assessment of transport matters  
T2 – Parking  
HS3 – Housing mix  
D1 – Sustainable Design  
D3 – Protecting Living Conditions  
D4 – Air quality  
NE1 - Landscape  
NE6 – Designated biodiversity and geological sites  
NE7 – Reducing flood risk  
NE8 – Sustainable drainage systems  
HE1 – Designated heritage assets



## 2.4 **Preston Neighbourhood Plan**

QL2 – Community Quality of Life  
QL3 – Local Distinctiveness  
HD1 – Residential Development  
HD3 – Housing Types  
HD4 – Tenure of Housing  
HD5 – Sustainability and Energy Efficiency  
HD6 – Design  
HD7 – Gardens  
HD8 – Flood Risk and Drainage Provisions  
HD10 – New Housing Development  
EH1 - Village Boundary, Rural Character and Setting  
EH2 - Conservation Areas and Heritage Assets  
EH3 - Open and Green Spaces  
EH7 - Protecting and Enhancing the Local and Natural Environment  
EH8 - Hedgerows, Trees and Verges  
TC1 - Safe and Sustainable Transport

## 2.5 **Supplementary Planning Document**

Vehicle Parking at New Development SPD (2011)

## 3.0 **Representations**

### 3.1 **Site Notice:**

Start Date: 06/08/2020

Expiry Date: 29/08/2020

### 3.2 **Press Notice:**

Start Date: 06/08/2020

Expiry Date: 29/08/2020

### 3.3 **Neighbouring Properties:**

Nine objections were received from dwellings on School Lane, Church Lane, Crunnells Green in Preston, and Foster Drive Hitchin. The objections included those from neighbouring dwellings Cherry Trees (Dungarvan on the submitted plans), Crunnells Green House, 3 Crunnells Green, and Dinsley Field. These objections are on the following grounds:

- ☐ Development should closely recognise the demands of the Preston Neighbourhood Plan. It ignores the NP.
- ☐ Housing has been refused permission on the site before.
- ☐ Why can a developer build, but not private owners.
- ☐ The development would not be sustainable.
- ☐ Inaccuracies in the planning statement concerning the surroundings, traffic and bus routes. Photos of the site frontage are out of date.
- ☐ The application is a precursor to more intensive development. Use a Section 106 agreement to limit more development if permission is granted.

- ❑ Open character of this part of Preston has been prejudiced by recent developments in the garden of 3 Crunnells Green.
- ❑ Vast amount of wildlife that uses the land, of which Barn Owl's are the most important. The site has been used as allotments and as a paddock.
- ❑ Broaden hedges and wildlife buffers.
- ❑ The site is an environmentally important habitat given protected status by the Council.
- ❑ Loss of a mature English oak and other small trees and bushes to create the new access.
- ❑ The need for a new access is not explained. The existing access could be used, or a new access could be provided without trees being removed.
- ❑ Inappropriate housing mix. Two and three bedroom houses would be supported by policy HD3 of the Neighbourhood Plan. The plot 1 dwelling could be altered to a pair of semi-detached dwellings.
- ❑ Pastiche designs of 19<sup>th</sup> century mansions, squeezed onto small plots close to each other.
- ❑ Arts & Crafts style more appropriate than mock-Tudor.
- ❑ The site should be developed at a much higher density to accommodate at least 20 homes.
- ❑ Reduce the elevation heights and remove 2<sup>nd</sup> floor windows.
- ❑ The development is not shown in context with the surroundings.
- ❑ Seems irresponsible to build in a Conservation Area. Impacts of lighting on Conservation Area.
- ❑ No recognition of impacts on parking for the primary school.
- ❑ Traffic noise from entrance within 10m of a bedroom.
- ❑ Hedge shown will not prevent noise and overlooking.
- ❑ Should not build using materials requiring high emissions in their production.
- ❑ High energy use of buildings.
- ❑ Should not build chimneys
- ❑ Do not need 4 bedrooms or more with scant regard for water conservation.
- ❑ Do not have to rely on gas or oil for heating.
- ❑ Need to conserve natural habitats., heat emissions and water supplies.
- ❑ Impacts on sewerage and water pressure.
- ❑ We can optimise ventilation.
- ❑ Targets for carbon emissions should be respected.
- ❑ Absence of any improvements to access to Back Lane and the condition of the highway.
- ❑ The site is a rare asset in the village and should not be wasted.
- ❑ Would like our boundary of Leylandii formalised.
- ❑ Hours of construction should not be on Saturdays and should stop at 5pm.
- ❑ Hazards from construction vehicles.
- ❑ Construction management plan required.
- ❑ No details of materials and landscaping.
- ❑ Fall in property value.
- ❑ A low density scheme of 3 houses respects the character of the site and accords with the PNP.

### 3.4 Preston Parish Council:

#### Objection:

- ☒ The Neighbourhood Plan hasn't been taken into account.
- ☒ No expressed need for 4 and 5 bedroom houses.
- ☒ A reduction in height would reduce their impacts.
- ☒ No provision for water conservation or a low carbon footprint.
- ☒ Not clear is SuDS will be achieved, and if building on a sewer would be avoided.
- ☒ No acknowledgement of wildlife.
- ☒ Loss of landscaping and trees would not be minimal.
- ☒ Does not account for the primary school next door with regard to construction traffic or in the longer term.

The application should be refused, or conditions imposed addressing the above.

### 3.5 Statutory Consultees:

Environmental Health (Noise) – No objections.

Lead Local Flood Authority - As this is a minor application, we are not statutory consultee, however we are happy to provide advice to the LPA.

The applicant has not provided any information relating to surface water management or information on how the applicant intends to manage surface water on site. From a review of the application form, the applicant states how surface water will be disposed of via soakaway. However, no information has been provided regarding if infiltration works on site.

From a review of the national Risk of Flooding from Surface Water mapping, the site itself (within the red line boundary) is predicted to be at very low risk of surface water.

We would recommend the LPA obtains information regarding if infiltration is a feasible means of surface water discharge from the site.

Environmental Health (Air Quality) – No objection.

Hertfordshire Ecology - The proposal will result in the potential loss of a section of the hedgerow to allow for access and the total loss of t existing grassland to make way for the access road, dwellings and their gardens. If left unmitigated, this will result in an overall loss of biodiversity at the site. Whilst I do not consider this to be significant enough to recommend refusal, the loss should be compensated for. Furthermore, in order to meet the aims of the NPPPF and other planning documents the development, if allowed to go ahead, should aim to provide a sustainable biodiversity uplift to the site.

To ensure that the application provides sufficient biodiversity gain I advise a Landscape and Ecological Management Plan (LEMP) is provided by condition to the LPA.

Hertfordshire County Council highways – Does not wish to restrict the grant of permission.

Waste Officer - The Planning Statement states the following:

A refuse and recycling collection point will be located within 30m from the site entrance and some 9m from the side boundary with Dungarvan.

This would have to be within 15m of the kerbside not 30m to be an acceptable pull distance for the crews, in accordance with BS5906:2005.

Archaeology – No objections.

CPRE – Have concerns over the development. Does not comply with the adopted Local Plan and the Neighbourhood Plan.

Environmental Protection (Contamination) – No objection.

#### 4.0 **Planning Considerations**

##### 4.1 **Site and Surroundings**

- 4.1.1 The site is a relatively large undeveloped area which can be characterised as wild grassland. The north-west and north-east boundaries are comprised of mature trees. The south-west boundary with Back Lane is comprised of mature trees, low fencing, and includes a vehicular access and gates into the site. The south-east boundary is comprised of lower vegetation/hedges.
- 4.1.2 Detached dwellings (two storeys and a bungalow) adjoin the site to the south-east and north-east. A primary school and its playing fields extend along the north-west boundary. The site is in the south-east of Preston where there are a small number of dwellings and the primary school nearby, where it is considered the locality has a low density residential/semi-rural character.
- 4.1.3 The site is within the Rural Area beyond the Green Belt in the adopted Local Plan. In the emerging Local Plan the site is proposed to be within the Preston settlement boundary. The site is within a Conservation Area.

## 4.2 Proposal

4.2.1 Planning permission is sought for the erection of three dwellings on the site, and the associated change of use of the land. One dwelling would be at the front of the site, with the remaining two at the rear. Each dwelling would have pitched roofs, be of a more traditional style and design, and would have 4 or 5 bedrooms. The two dwellings at the rear would have a detached double garage, with the front dwelling having an attached double garage. The dimensions of the dwellings at their maximum would be approx. 22.6m in length, 12.9m in depth and 9.6m in height. A new vehicular access would be created south-east of the existing, providing a driveway which all dwellings would use to access the public highway. Two trees would be cut back to provide access to the driveway. New hedges and tree planting are proposed within the site.

## 4.3 Key Issues

4.3.1 The key issues for consideration are as follows:

- The acceptability of the principle of the proposed works in this location.
- The acceptability of the design of the proposed development and its resultant impact on the character and appearance of the area.
- The impact that the proposed development would have on the living conditions of neighbouring properties.
- Whether the proposal would provide an acceptable standard of accommodation for future occupiers of the dwellings.
- The impact that the proposed development would have on car parking provision and the public highway in the area.
- The quality of landscaping proposed and the impact the proposed development would have on trees.
- The impact that the proposed development would have on ecology and protected species.
- The impact of the proposal on drainage and flood risk.

### Principle of Development:

4.3.2 The site is within the Rural Area beyond the Green Belt in the adopted Local Plan. Preston is not a Selected Village beyond the Green Belt under Policy 7, therefore Policy 6 is a material consideration as 6 sets out what types of development are acceptable in this location. Policy 6 states:

*In Rural Areas beyond the Green Belt, the Council will maintain the existing countryside and villages and, and their character. Except in Selected Villages (Policy 7), a development proposal will normally be allowed only if:*

*i. it is strictly necessary for the needs of agriculture, forestry or any proven need for local community services, provided that:*

*a. the need cannot practicably be met within a town, excluded village or selected village, and*

*b. the proposal positively improves the rural environment; or*

*ii. it would meet an identified rural housing need, in compliance with Policy 29; or*

*iii. it is a single dwelling on a small plot located within the built core of the settlement which will not result in outward expansion of the settlement or have any other adverse impact on the local environment or other policy aims within the Rural Areas; or*  
*iv. it involves a change to the rural economy in terms of Policy 24 or Policy 25.*

- 4.3.3 The proposal would not comply with i, ii or iv. Part iii refers to a single dwelling on a small plot – three dwellings are proposed here on a large overall plot, however I consider that the site is within the built core of the settlement of Preston, will not result in its outward expansion, or have any other adverse impacts on the local environment.
- 4.3.4 Taken as a whole, the proposed development would conflict with part iii of Policy 6 as three dwellings are proposed on a large plot. However, each dwelling on its own could be considered to comply with part iii, and the plots could be considered small when compared with the neighbouring primary school and the dwellings Dinsley Field and Crunnels Green House.
- 4.3.5 The main aim of Policy 6 is to maintain the existing countryside and villages and their character. The site is undeveloped, however it is bordered by residential development and a school on three sides and is not in my view open countryside and is within the main built core of Preston. As set out below, I do not consider that the development harms the character of Preston. Therefore, I consider that the proposal complies with the aims of Policy 6 of the adopted Local Plan.
- 4.3.6 In the emerging Local Plan (ELP) the site would be within the defined settlement boundary of Preston, where under Policy SP2 general development will be allowed in principle. This policy can be given moderate weight at this time as the emerging Local Plan examination has not concluded, however Policy SP2 would be complied with.
- 4.3.7 Policy HD1 of the Neighbourhood Plan (NP) states that residential development within the settlement boundary will be supported, subject to more detailed criteria. The settlement boundary in the NP is essentially that in the ELP, which the application site is within. I consider residential development on the site acceptable in principle with regards to the NP, subject to it meeting the other detailed criteria of the NP.

Character and appearance:

- 4.3.8 The site is in the central core of Preston and adjoins existing residential development and a school on most of its sides, therefore I consider new residential development in general on the site compatible with the character and appearance of its surroundings.
- 4.3.9 The density of development would be approx. 3 dwellings per hectare. This is a low density and is considered appropriate to Preston south-east of the adjacent primary school which is characterised by a small number of dwellings (some on large plots), which has a spacious low density/semi-rural residential character. The low number of dwellings proposed and their large plot sizes are considered sympathetic to this character of the part of Preston the site is within.

Two of the dwellings would be at the rear of the site which is uncharacteristic of this part of Preston, however a dwelling The Cedars along Back Lane to the north-west is also behind other dwellings, therefore I do not consider the pattern and grain of development completely out of place. In any case I consider visual harm limited as the two rear dwellings would be relatively far from the public highway, spaced apart and would benefit from new planting between.

- 4.3.10 Each dwelling would be large, and of a more traditional design and style. This part of Preston includes other large dwellings of a similar size to each of the three proposed, examples including Dungarvan, Crunnells Green House and Dinsley Field. The dwellings would be larger than Cherry Trees, a bungalow that adjoins the site, however in their wider context their size and heights are considered in keeping with the character and appearance of the locality.
- 4.3.11 Each proposed dwelling would be of a more traditional design, with each being of a different individual style. External materials are proposed to be bricks, tiles, render, oak timbers, and timber boarding. The bricks and tiles would be of different colours and materials. Dwellings in this south-eastern part of Preston are considered to be of a mix of ages, designs and styles, therefore in this context I do not object to the design approach taken with the proposed dwellings. The proposed dwellings would have appropriate detailing and fenestration and would have acceptable detached garages. I consider the dwellings would be of a sufficient quality to comply with adopted Local Plan Policy 57, and ELP Policy D1, which set general requirements for good quality new residential development. For the above reasons I do not consider that the significance of the Conservation Area would be harmed.
- 4.3.12 With regards to the detailed policies of the NP, the relatively small size of the proposal will not conflict QL2 Community Quality of Life and will comply with QL3 Local Distinctiveness through preserving heritage assets and rural character. The detailed criteria of HD1 would be complied with due to the acceptable good quality of the proposal. EH2 would be complied with as the Conservation Area would not be harmed.
- 4.3.13 Policy HD3 states that proposals for new homes should demonstrate the way in which they would address local housing needs. Proposals for 2 and 3 bedroom homes would be supported. The proposals are for one 4 bed house and two 5 bed houses and does not demonstrate how local housing needs would be addressed. I do not consider that HD3 would be complied with, however the three new dwellings proposed would be a benefit to the District's housing supply as a whole. Policy HD4 states a mix of housing, including some social and affordable, should be provided. Affordable or social housing cannot however be provided by major residential developments, which is not applicable to this proposal.
- 4.3.14 The development does not make provision for water conservation and a low carbon footprint, which is encouraged by Policy HD5. It is considered that the landscaping would encourage biodiversity (full details to be required by condition), and each dwelling would be required to have an electric vehicle charging point which will encourage sustainable transport.

The lack of provision of water conservation and a low carbon footprint do not result in the proposal failing to comply with HD5, although it reduces its environmental credentials. HD6 would be complied with as the dwellings would include adequate external and internal storage space for bins, cycles and mobility scooters. HD10 would be complied with as the development would maintain and contribute to the local character of Preston. The proposal would result in development on a green space as referred to in Policy EH3, however I do not consider this harmful as it would be in private use as it is now, would remain not open to the general public, and would have a relatively small amount of development on it. The site is not designated as a Local Green Space, therefore I do not consider that the development would conflict with EH3. Overall, I consider the proposal complies with almost all relevant local and national policies.

#### Impacts on Neighbouring Properties:

- 4.3.15 The proposed dwellings would be sufficiently far from the closest dwellings on adjoining sites to avoid appearing harmfully overbearing or causing loss of light – the Plot 1 dwelling would be approx. 25m from Cherry Trees; the Plot 3 dwelling would be approx. 30m from the boundary with Cherry Trees, 29m from Dungarvan, and 12m from the curtilage of Dungarvan; the two rear dwellings would be approx. 40m from the rear boundary of the site.
- 4.3.16 With regards to privacy, Guideline 7 of Policy 57 of the adopted Local Plan refers to a distance of 30m between the rears of dwellings being likely to achieve a minimum degree of privacy. The distances between the fronts and rears of the proposed dwellings, and the side of the plot 1 dwelling, would be close to or exceed this guideline, therefore privacy is considered acceptable from those elevations.
- 4.3.17 The facing side elevation of the Plot 3 dwelling would be 12m from the curtilage of Dungarvan which is closer than the elevations of the other dwellings. A distance of 12m to a boundary is however fairly common for new dwellings, and given that the first floor facing Dungarvan would be comprised of a relatively small single side window, I do not consider this would result in loss of privacy or that the window should be required to be obscure glazed.
- 4.3.18 I do not consider that noise from the proposed dwellings and occupants vehicles would be harmful to neighbour amenity as amounts and volumes would be relatively small and not unlike that of existing nearby residential development. The NP does not contain any detailed policies and guidelines concerning neighbour amenity. Regarding objections received from neighbours, the majority have been addressed elsewhere in this report.



In response to the other objections received, this is an application not an approval, and does not favour any particular applicant; the photos in the planning statement are out of date, however a recent site visit has been made therefore the present appearance of the site and its surroundings are known; the site is considered more sustainable due to its location in the built core of Preston and with regard to access to services and public transport; any proposal for more development would be treated on its own merits; whether more houses could be built is not relevant as the main considerations are whether the proposal as submitted is acceptable; a Section 106 agreement can only be used in respect of the application it relates to; the amount of development is small in relation to the size of the site and will not cause adverse cumulative impacts with existing development; the information submitted is sufficient to assess the application; impacts on sewerage and water pressure are not material planning considerations; the proposal does not generate a requirement for improvements to Back Lane; boundary issues and property values are not material planning considerations; hours of construction could be controlled by condition.

Amenity of Future Occupiers:

4.3.19 Paragraph 127 (f) of the NPPF states that “*decisions should ensure that developments... create places that are safe, inclusive and accessible and which promote health and wellbeing, with a high standard of amenity of future and existing users*”. Paragraph 127 (f) is largely reflected in Guideline 8 of Policy 57 in the Saved Local Plan and Policy SP9 of the Emerging Local Plan.

4.3.20 The main habitable rooms of the proposed dwellings are considered to be of an adequate size and would receive sufficient outlook and light. They would be sited and spaced sufficiently far apart to avoid causing mutual overbearing impacts, loss of light and privacy to each other. The private rear gardens of the dwellings would be of a sufficient size and quality to provide acceptable amenity space for their potential occupants. Living conditions of future occupants are considered acceptable.

Parking and Highways:

4.3.21 Each dwelling would have at least three parking spaces – this is in excess of the Council’s minimum parking standards of two spaces for a dwelling with two bedrooms or more, therefore parking provision would be acceptable. The dwellings would also be able to accommodate any visitors. Each dwelling would include a garage that could accommodate two cycle parking spaces, therefore cycle parking provision is considered acceptable.

4.3.22 The planning statement states that a refuse and recycling collection point will be located within 30m from the site entrance and some 9m from the side boundary with Dungarvan. The Council’s Waste Officer has stated that this would need to be within 15m of the kerbside to be an acceptable. I consider that an appropriate planning condition can be imposed setting the distance of the collection point to within 15m of the road, with further details to be agreed before occupation of the development.

4.3.23 The existing vehicular access would be closed up, and a new access created further to the south-east. Given that the County Council highways officer has not objected to this, subject to conditions requiring visibility splays etc., I consider the new access acceptable. The highways officer has not raised concerns relating to impacts from traffic from the proposed development – as only three dwellings are proposed, traffic generation would be minor and would not be considered harmful to the nearby school. Parking provision and impacts on the public highway are considered acceptable.

Trees and Landscaping:

4.3.24 The proposal will involve cutting back two trees to provide visibility splays for the new vehicular access. These trees can be required to be retained by condition, however details of the cutting back will also need to be required by condition. It is likely that there will be some loss of vegetation from the works to those trees and from the site itself, however I consider this would be sufficiently compensated by the new hedges and planting proposed within the site.

4.3.25 The site plan shows a small amount of hard landscaping relative to the area of the site, which is considered to be an acceptable approach. Further details of hard and soft landscaping are required, which can be secured by an appropriate condition. Landscaping and impacts on trees are considered acceptable.

Ecology:

4.3.26 Hertfordshire Ecology provided comments on 10<sup>th</sup> April 2020 advising that there will be a loss of hedgerow and grassland, which should be compensated for. There should also be an aim to increase biodiversity on the site. To secure this, a condition requiring a Landscape and Ecological Management Plan be submitted is recommended, which would be in accordance with the recommendations of Hertfordshire Ecology.

Drainage and flood risk:

4.3.27 The Lead Local Flood Authority have not objected as they are not a statutory consultee for minor developments such as this. They have advised that the applicant has not provided any information relating to surface water management or information on how the applicant intends to manage surface water on site. The applicant states that surface water will be disposed of via soakaway. There are no details of these arrangements, however it is considered that requiring by condition that run-off water is drained within the site is an acceptable approach.

Climate Change Mitigation:

4.3.28 The NPPF supports the transition to a low carbon future and the increased use of renewable energy sources. North Hertfordshire District Council has declared itself a Climate Emergency authority and its recently adopted Council Plan (2020 – 2025) seeks to achieve a Council target of net zero carbon emissions by 2030 and protect the natural and built environment through its planning policies.

The development does not demonstrate that it would be low carbon or carbon neutral, however this would not usually be expected or required for a small development of three dwellings. Emerging Local Plan Policy D1 seeks to reduce energy consumption and waste. To assist in achieving these aims, Electric Vehicle Charging points will be conditioned to be installed on each of the proposed new dwellings.

#### 4.4 **Conclusion**

4.4.1 The LPA is not able to demonstrate a five year housing land supply. The tilted balance set out in paragraph 11 of the NPPF is engaged as the proposal is not considered harmful to the Conservation Area. This requires granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

4.4.2 The adverse impacts are:

- ☐ Not demonstrating how the development would address the local housing needs of Preston.

4.4.3 The benefits are:

- ☐ Three new dwellings in a more sustainable location – Benefits to the District's housing supply, social and economic benefits arising from construction and occupation of the dwellings.
- ☐ Likely increased biodiversity within the site resulting from new planting.
- ☐ Visual improvements to the site and its front boundaries from new landscaping and hedges.

4.4.4 It is considered that the adverse impacts from the development would be minor, therefore it would not be considered to significantly and demonstrably outweigh the benefits as set out in paragraph 11 of the NPPF. The proposed development is considered acceptable and is considered to comply with the necessary provisions of both the existing and emerging Local Plan policies and the National Planning Policy Framework. Grant conditional permission.

#### 4.5 **Alternative Options**

4.5.1 None applicable

#### 4.6 **Pre-Commencement Conditions**

4.6.1 Pre-commencement conditions as below are recommended, which have the agreement of the applicant.

#### 5.0 **Legal Implications**

5.1 In making decisions on applications submitted under the Town and Country Planning legislation, the Council is required to have regard to the provisions of the development plan and to any other material considerations. The decision must be in accordance with the plan unless the material considerations indicate otherwise. Where the decision is to refuse or restrictive conditions are attached, the applicant has a right of appeal against the decision.

## 6.0 **Recommendation**

6.1 That planning permission be **GRANTED** subject to the following conditions:

1. The development hereby permitted shall be 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. Details and/or samples of materials to be used on all external elevations of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced 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.

4. Prior to commencement of the approved development, the following landscape details shall be submitted:

a) which, if any, of the existing vegetation is to be removed and which is to be retained - including details of tree cutting

b) what new trees, shrubs, hedges and grassed areas are to be planted, together with the species proposed and the size and density of planting

c) the location and type of any new walls, fences or other means of enclosure and any hardscaping proposed - hard surfaces shall be of porous materials, or provision shall be made to direct run-off water from the hard surfaces to a permeable or porous area or surface within the curtilages of the dwellings

d) details of any earthworks proposed

Reason: To ensure the submitted details are sufficiently comprehensive to enable proper consideration to be given to the appearance of the completed development.

5. 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.

6. Prior to occupation, each detached property 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.

7. In connection with all site preparation and construction works, no plant or machinery shall be operated on the premises before 08.00hrs Monday to Saturday, nor after 18.00hrs on weekdays and 13.00hrs on Saturdays, not at any time on Sundays or Bank Holidays.

Reason: To protect the residential amenity of nearby residents.

8. Prior to the first occupation of the development hereby permitted the vehicular access shall be provided and thereafter retained at the position shown on the approved plans. Arrangement shall be made for surface water drainage 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.

9. Prior to the commencement of the approved development, a Landscape and Ecological Management Plan shall be submitted to the Local Planning Authority demonstrating a biodiversity gain within the site. The Plan if approved shall then be implemented prior to occupation of the development, and the approved measures shall remain unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of ecology.

10. Prior to the first occupation of the development hereby permitted the vehicular access shall be provided 4.2 metres wide and thereafter retained at the position shown on the approved plan drawing number 2020-04 PL.002. Arrangement shall be made for surface water drainage 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 of surface water from or onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

11. Prior to the first occupation of the development hereby permitted visibility splays measuring 2.4 metres x 35 metres shall be provided to each side of the access where it meets the highway and such splays shall always thereafter be maintained free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

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

12. The gradient of the vehicular access shall not exceed 1:20 for the first 5 meters into the site as measured from the near channel edge of the adjacent carriageway.

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

13. The access shall be constructed in a hard surfacing material for the first 5.0 metres from the back edge of the carriageway.

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

14. Prior to the first occupation of the development hereby permitted details of the waste bin storage area shall be submitted showing the location within 15 metres of the adjacent highway.

Reason: In order to provide adequate waste collection facilities within working distance of the adjacent highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan in the interests of highway safety.

15. No demolition/development shall take place/commence until an Archaeological Written Scheme of Investigation has been submitted to and approved in writing by the Local Planning Authority. 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 of 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: In the interests of archaeology.

16. No 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 15.

Reason: In the interests of archaeology.

17. 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 15 and the provision made for analysis and publication where appropriate.

Reason: In the interests of archaeology.

18. Land Contamination Condition

(a) No development approved by this permission shall be commenced prior to the submission to, and agreement of the Local Planning Authority of written information allowing a preliminary environmental risk assessment to be undertaken, which allows the creation of a Conceptual Site Model which indicates sources, pathways and receptors. It should identify the current and past land uses of this site (and adjacent sites), with a view to determining the presence of contamination likely to be harmful to human health, and the built and natural environment.

(b) If the Local Planning Authority is of the opinion that the report which discharges condition (a), above, indicates a reasonable likelihood of harmful contamination then 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

(c) 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 (b), above; has been submitted to and approved by the Local Planning Authority

(d) This site 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 (c) above have been fully completed 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 the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority.

(e) Any contamination, other than that reported by virtue of condition (a) and (b), encountered during the development of this site 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 this site.

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.

Proactive Statement:

















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

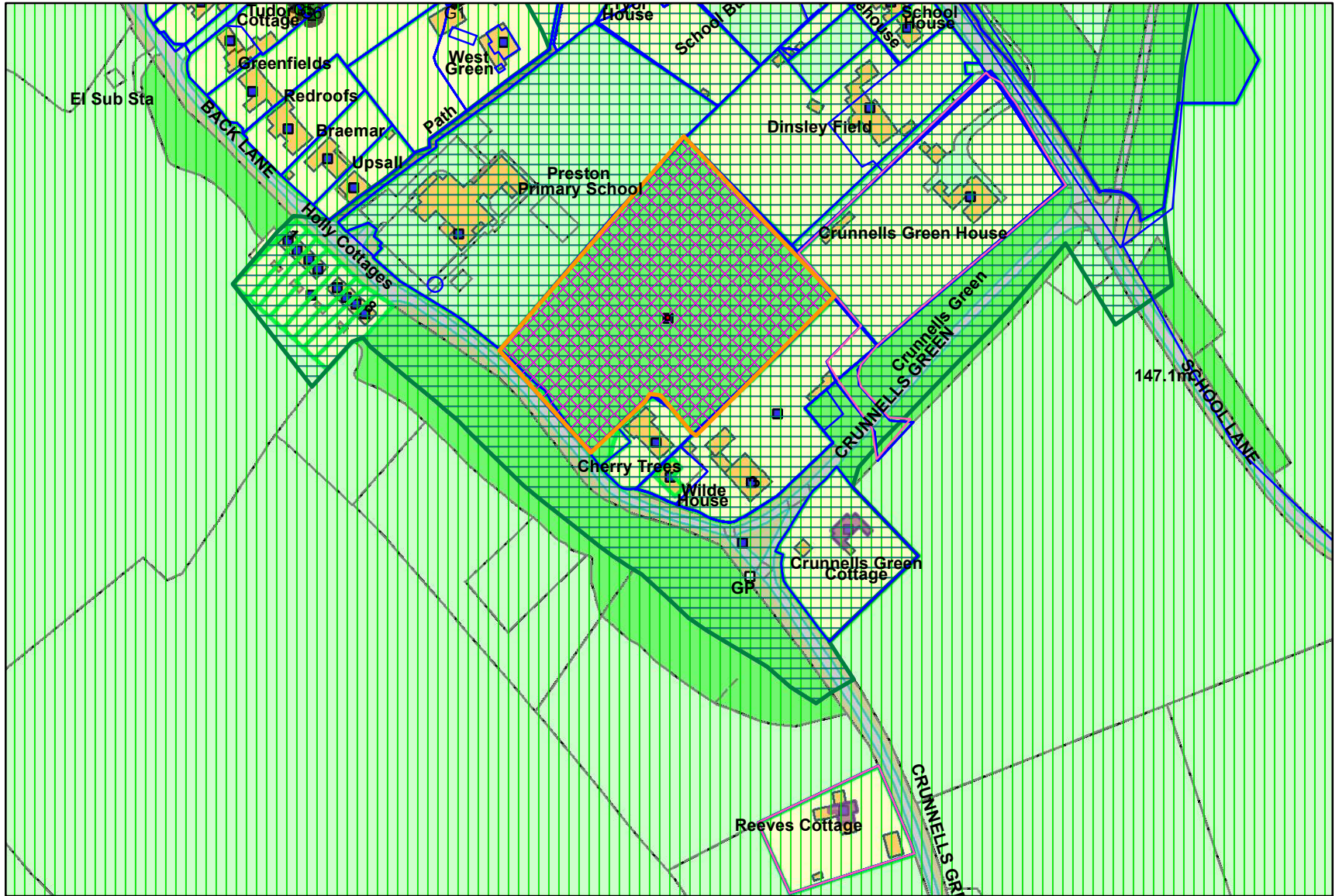




## Application Validation Sheet

20/01564/FP Land adjacent to Dungarvan, Back Lane, Preston, Hertfordshire, SG4 7UJ

-  **Acolaid Land Parcel**  
Property.shp
-  **Acolaid Address Point**  
ap.shp
-  **Planning Application (1999)**  
Prapps99.shp
-  **Area of Outstanding Natural Beauty**  
Pranob.shp
-  **Listed Buildings**  
Prstbld.shp
-  **Tree Preservation Order (Single)**  
ORACLE
-  **Tree Preservation Order (Group)**  
ORACLE
-  **Parish Boundary**  
Prparish.shp
-  **Conservation Area**  
Prcrea.shp
-  **District Local Plan Boundary**  
Prdlp2.shp
-  **Green Belt**  
Prgrnbt.shp
-  **Health & Safety Consultation Zone**  
Prjnzne.shp
-  **Landscape Conservation**  
Prlandca.shp
-  **Ward Boundary**  
Prwardcd.shp
-  **Noise Nuisance Indicators**  
Prnris.shp
-  **Indicative Flood Plain**  
Prifpn.shp



Scale 1:2,500  
Date: 29/09/2020



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<b>ITEM NO:</b>	
<u>Location:</u>	<b>Hitchin Town Hall Brand Street Hitchin Hertfordshire SG5 1HX</b>
<u>Applicant:</u>	<b>Mr H Barry</b>
<u>Proposal:</u>	<b>Replace existing wood floor to Hitchin Town Hall using solid oak floor planks secret nailed/ glued to new hardwood support battens.</b>
<u>Ref. No:</u>	20/02371/LBC
<u>Officer:</u>	<b>Mark Simmons</b>

**Date of expiry of statutory period :** 25.12.2020

## 1.0 **Policies**

SECN16 Conserve + enhance historic environment

XHE1 Designated Heritage Assets

## 2.0 **Site History**

2.1 **12/02796/1** - Erection of two storey glazed entrance and link structure; roof terrace with glazed balustrade. Addition of first floor including provision of roof top plant equipment to facilitate change of use of gymnasium (Class D2) and associated changing facilities, store and activity room to museum (Class D1). Internal alterations to existing buildings to provide cafe, shop, display area and ancillary facilities. Rear staircase and refuse enclosure and alteration to existing steps to provide disabled access to Town Hall. (as amended by plan nos. PL01B; PL02A; PL03A; PL04A & PL06A received 26th January 2013)

**CP 26.02.2013**

**12/02797/1LB** - Erection of two-storey glazed entrance and link structure, roof terrace with glazed balustrade and flank wall to No. 16 Brand Street. Addition of first floor including provision of roof top plant equipment to facilitate change of use of gymnasium (D2) and associated changing facilities, store and activity room to museum (D1). Internal alterations to existing buildings to provide cafe, display area and ancillary facilities including alterations to layout of toilets and kitchen area. Inside existing Town Hall building provision of lift, alterations to stage to create museum storage. Alterations to first floor balcony with new floor, glass balustrade and new access way replacing existing window opening. Alterations to stepped access to Town Hall.

**CCON 26.02.2013**

**14/01633/1LB** -Internal alterations forming part of the services installation relating to the refurbishment and extension of the Town Hall (as amended and amplified by drawing nos. (06)002C2, (06)004C2, (24)002C2 & (45)010C1, revised Design and Access statement, Supplementary Planning Statement and manufacturers information re modern services installations (received 16th and 17th July 2014).

**CCON 18.08.2014**

### 3.0 **Policies**

#### 3.1 National Planning Policy Framework Section 16: Conserving and enhancing the historic environment

Particularly 189,192-194, 196

The Local Plan was scheduled to have several additional hearings in Spring 2020 but the LP Inspector confirmed the postponement of the LP Hearings due to coronavirus. The Hearings were rescheduled and recommenced on 23rd November. Some weight can still be attributed to the emerging North Hertfordshire Local Plan 2011 - 2031 Proposed Submission (September 2016) Incorporating The Proposed Main Modifications (November 2018) and the policies contained within it.

Policy HE1

### 4.0 **Representations**

#### 4.1 **Press & site notices** – Although internal alterations only do not need to be advertised or a site notice displayed both were undertaken. Site notice expiry date was 03/12/2020 whilst the press notice was 05/12/2020. No representations received.

### 4.2 **Procedural matters**

4.2.1 Hitchin Town Hall is owned by the North Hertfordshire District Council. If the Council had been the applicant then the Local Planning Authority could not determine its own listed building consent application but instead it would have to be referred to the National Planning Casework Unit (on behalf of the Secretary of State for Communities and Local Government) after consultation with Historic England the National Amenity Societies.

4.2.2 Had this been the case and in determining whether this application had to be referred to the NPCU the following legislation is relevant:

1) Planning (Listed Buildings and Conservation Areas) Act 1990

2) Planning (Listed Buildings and Conservation Areas) Regulations 1990

3) Circular 01/2001 - Arrangements for Handling Heritage Applications - Notification and Directions by the Secretary of State

4.2.3 Section 13 of the LBCA 1990 Act states that if an LPA, to whom an application is made for listed building consent, intends to grant consent, they should first notify the Secretary of State. Paragraph 26 (1) of Circular 01/2001 however, refers to the determination by LPA's of certain listed building applications without notifying the Secretary of State. It states that section 13 of the Act shall not apply to applications for listed building consent to carry out works for the demolition, alteration, or extension of a grade II (unstarred) listed building outside Greater London unless the application proposes the carrying out of:

- a) works for the demolition of any principal building: or
- b) works for the alterations of any principal building which comprise or include:
  - i) the demolition of a principal external wall of the principal building: or
  - ii) the demolition of all or a substantial part of the interior of the principal building.

None of the criteria set out in a) or b) above apply to this current application and therefore no consultation with the Secretary of State is required under the above Act or Circular.

4.2.4 Regulation 13 of the Planning (LBCA) Regs 1990 subsection (1) refers to applications by local planning authorities for alterations to listed buildings. Sub section (2) states that in such cases the Authority shall make application to the Secretary of State.

4.2.5 However, this listed building application is not made by the LPA but Floorteq Limited and notice has been served on North Hertfordshire District Council in the making of the application to the Local Planning Authority. As such, with the Local Planning Authority not being the applicant for this application, there is no requirement for referral to the Secretary of State. This procedure is the same as applied with the three previous sets of planning, listed building and conservation consent applications previously determined by the Local Planning Authority, where the applications were not made by the LPA but by a third party (in the case of the previous applications the applicant was Buttress Conservation Architects on one occasion and Hitchin Initiative in the case of the other two).

4.2.6 Circular 01/2001 (Annex A) provides procedural guidance on notification of listed building applications to the National Amenity Societies. The National Amenity Societies are listed as:

- Ancient Monuments Society
- The Council for British Archaeology
- The Georgian Group
- The Society for the Protection of Ancient Buildings
- The Victorian Society
- The Twentieth Century Society

Local Planning Authorities are required to notify the above Societies in the following cases:

- a) for works for the demolition of a listed building; or
- b) for works for the alteration of a listed building which comprise or include the demolition of any part of that building

As the works the subject of this listed building application do not involve the demolition of any part of the building there is no requirement to consult any of the National Amenity Societies. Historic England has not been consulted either and there is no requirement to do so.

4.2.7 Consequently, the fact that:

- a) the building is owned by North Hertfordshire District Council
- b) the applicants are Floorteq Limited;
- c) the applicants are also agents for the application;
- d) Floorteq Limited are the appointed contractor;
- e) the works subject of this listed building application do not involve the demolition of any part of the building and there is no requirement to consult any of the National Amenity Societies or Historic England

The application can be determined by the Local Planning Authority.

4.2.8 Given the above legislation, I am satisfied that there is no requirement for this application to be referred to the NPCU on behalf of the Secretary of State and that the Local Planning Authority may determine this application.

## 5.0 **Planning Considerations**

### 5.1 **Site & Surroundings**

5.1.1 Hitchin Town Hall is located at the north-western end of Brand Street at the junction with Grammar School Walk, is grade II listed and is located within the Hitchin Conservation Area. The list entry reads as follows:

*Town Hall, built 1900-1901, extended to the east in the later C20. Designed by Edward Mountford and T Geoffrey Lucas for Hitchin Urban District Council.*

*MATERIALS - The building is constructed in red brick, laid in English bond, with rendered details and stone dressings.*

*PLAN- Approximately rectangular with a slightly projecting front office range, and late C20 extensions linking with the former Workmen's Hall and gymnasium to the east.*

*EXTERIOR - The building comprises a Neo-Georgian front range, with 'Wrenaissance' influence, and a rear hall in the Arts and Crafts style, The office range has stone capping to the brick plinth and quoins to the corners. The hipped tile covered roof has a central cupola, an end stack at the east elevation and a stair turret beneath a gablet at the west elevation. A slightly projecting central panel of one bay framed by pilasters is clad in stone, At ground floor, a central moulded arched entrance with enlarged keystone has recessed later C20 glazed and timber doors with small-paned leaded lights above, Iron lantern brackets and suspended lanterns are above either side of the arch. Carved at the top of the pilasters are the letters HU (to the left) and DC (to the right) with AD and MCM (the date in Roman numerals) beneath.*

*At first floor, a pair of lancet windows with small-paned leaded lights and a moulded stone lintel lie beneath a pediment with central carved coat of arms and foliate motifs. The pediment and eaves rest on modillions. On either side of the central bay are three windows each to the ground and first floors. At ground floor, four are original mullion windows with small paned leaded lights; two to the left of centre have inserted transoms. All first-floor windows are mullion and transom windows with leaded lights.*

***The hall to the rear has a tiled gable roof and rough-cast render at the upper levels. It is five bays long, has a rectangular plan and lies at a right angle to the front range. Each bay is defined by half-buttresses and has a semi-circular or Diocletian window with two mullions beneath the eaves.***

*There are two tile-hung dormers to each pitch with timber casement windows. The west elevation has a central opening at ground floor with stone quoins, part glazed doors and a canted, pent roof. To the rear is a remodelled brick extension with hipped roofs, partly constructed in the same style as the hall, which accommodates the stage and back rooms internally.*

*The later C20, flat-roofed single and two-storey extensions to the east obscure the east elevation of the hall and have no historic interest. The linked, much altered, two-storey gymnasium has a half-hipped roof covered in slate with dentil cornice, some contrasting brickwork and replacement windows.*

*INTERIOR - In the office range, a central ground-floor foyer has contemporary quarry tiles, plain dado rail and cornices and a wooden plaque commemorating honours won by Hitchin men in World War I. A simple, enclosed staircase leads to the first floor. The rooms off the staircase are plain in decoration, served by corridors with arched openings, plain dado rails and cornices. The Lucas room on the first floor has two entrance doors with a moulded architrave. A fireplace at the east end has a deeply coloured tile and carved wood surround. There is a plaster cartouche thought to represent the Lucas family crest, surrounded by foliate and shell motifs above. There are deep cornices, some with egg and dart motifs.*

***To the rear of the foyer double doors lead to the multi-functional hall. The hall has an adjustable sprung wooden floor, contemporary with its construction, and a barrel-vaulted ceiling with prominent concrete beams rising from columns and elaborate consoles to the cornice. The details on the consoles represent a rose and lavender, crops grown locally for the horticultural and pharmaceutical industries. Contemporary brass light fittings remain. To the north, the stage has a simply moulded proscenium arch and remodelled rooms beneath. To the south, a first-floor gallery is supported on three slender columns; a separate access to the seated gallery is at the first floor. On the east side, an inserted double opening leads to a remodelled corridor partly integrated into the later C20 extensions which incorporate a new entrance into the complex and link the hall with the former Workmen's Hall and Gymnasium. The latter now serves as a late C20 sports facility and the former hall has been subdivided; neither have fixtures and fittings of interest.***

*HISTORY - Hitchin Town Hall was constructed for Hitchin Urban District Council in 1900-1901 as a replacement for the Old Town Hall of 1840, also on Brand Street. Built on land donated in 1897 by local dignitaries Frederic Seebohm and William and Alfred Ransom, the competition to design the Town Hall was won by Edward Mountford and T Geoffry Lucas. It was constructed at a cost of £7,300 and combined council offices and a hall. A small extension at the rear of the hall was built on land donated by Dr Oswald Foster and appears to have been either constructed or remodelled during the interwar years. In the 1960s the hall was extended to the south-east, linking it to the Workmen's Hall and Gymnasium of 1841, resulting in some exterior and interior remodelling.*

*SOURCES NHDC.- Proposed Register of Buildings of Local Interest in Hitchin. July 2009. Field, Richard. Hitchin, A Pictorial History 1991. A Stuart Gray . Edwardian Architecture A Biographical Dictionary (1985) p.237,267-9 Pevsner, N and Cherry, B.The Buildings of England : Hertfordshire:2nd Edition (1977) pp 204-205. The Builder 30 March 1901, p.320*

*REASONS FOR DESIGNATION - Hitchin Town Hall of 1900-1901, Brand Street, Hitchin is designated at Grade II for the following principal reasons:*

*Architectural Interest; the front range of the building has carefully considered detailing expressing civil dignity balanced by the domestic quality of the flanking bays and elevations of the rear hall. The building was designed by E W Mountford and T Geoffry Lucas, renowned architects in the design of municipal and domestic buildings with many listed buildings to their names*

*Intactness; both the exterior and interior of the building are largely intact*

*Interior; the Lucas Room is distinguished for its decorative plasterwork*

*Group Value; Hitchin Town Hall has group value with the designated old Town Hall, the contrasting architecture of the two buildings demonstrating the evolution of the building type from the mid-C 19 onwards.*

*(CASE OFFICER EMPHASIS IN BOLD)*

## **5.2 Proposal**

- 5.2.1 Replace existing wood floor to Hitchin Town Hall using solid oak floor planks secret nailed/ glued to new hardwood support battens.

## **5.3 Key Issues**

- 5.3.1 The key issue relates to whether replace the existing Kapur wood floor in the main hall with oak boards would occasion harm to the listed building's special character.



- 5.3.2 According to the list entry, “... *The hall has an adjustable sprung wooden floor, contemporary with its construction ....*”. Although the list entry is a relatively recent detailed description, I suggest that on the above point the list entry is incorrect. As stated at the beginning of the description the Town Hall was built in 1900-01, however, the ‘Valtor’ system was designed as an adjustable sprung load floor and was patented and installed by Francis Morton, Junior & Co. This floor system came to prominence from the 1920’s, presumably in response to society’s increased requirement for dance halls and was installed at over 400 venues including Nantwich Civic Hall (1951), Grafton Rooms, Adelphi Hotel, Reece’s Ballroom (Liverpool) and the Bradford Odeon. There is no evidence to suggest that the ‘Valtor’ system existed in 1900-01.
- 5.3.3 This system comprised rows of light steel girders laid under the floor, each divided into short lengths, coupled together by special spring fittings. The entire floor thus rested on steel springs, with no ‘dead point’ anywhere. The existing Kapur boards are generally  $\frac{3}{4}$ ” thick and  $2\frac{1}{2}$ ” wide. The floor is essentially in 7 sections (1 section under the gallery with 6 long sections beyond the gallery – 4 adjustable sprung floor bays with a non-sprung section either side resting on ventilated brick sleeper walls). There is a wall under the apron (fore stage) and on the alignment of the support columns to the gallery.
- 5.3.4 Originally, the floor system could be adjusted to provide varying degrees of springiness, and ‘locked’ to prevent movement when not required for dancing. This system came with a locking key (a long T-bar) and a winding mechanism exists under 4no. covers at the stage end of the hall. Unfortunately, the locking key is lost. If a locking key is found or made, neither myself or the floor contractor is able to provide any assurance that the spring floor mechanism is still operational and whether the proposed oak floor with wider boards would be capable of being adjusted using a locking key. Floorteq states that “...we can’t speculate as to its ongoing effectiveness...”. This application is principally concerned with the installation of a new, durable and visually attractive floor finish rather than being concerned with whether or not the ‘Valtor’ system is still operational. There is no intention to remove or alter the existing ‘Valtor’ system at Hitchin Town Hall.
- 5.3.5 Furthermore, not only is the ‘Valtor’ system probably not original, the floorboards are also non-original. I undertook some research at the County Records Office with the purpose of seeking to corroborate these views but without success. No evidence was found as to the original floor construction or finish. It is plausible, however, that the original floor could have been Oak, Beech or Maple.
- 5.3.6 The submitted Design and Access Statement states the following:
- “..... From information received and further historic research, it is believed the floor was later replaced in the 1950s; the reason for this is unknown. Replacement Kapur floor planks were used, probably due to cost or availability at a time when environmental import restrictions were less stringent. The installation included the use of softwood support battens, nailed perpendicular across the structural joists....*

*.... Due to its current condition, as well as the cost and environmental implications of importing and using exotic hardwood planks, it is not proposed to reinstate a Kapur floor but to introduce an oak floor of modern width boards. Provision will also be made to replace the softwood undercarriage battens with plywood equivalents which will provide much improved support and anchorage for the new boards...*

*..... Although the oak floor will be lighter in colour and the board widths wider, the proposed floor will retain similar characteristics to the existing sprung floor and almost certainly be of a similar timber species to that used when the hall was built. The floor will also continue to be naturally ventilated by the installation of brass register grills at strategic locations to provide continued air circulation above and below the floor."*

5.3.7 Investigating the structure below the existing floor, it is apparent that the existing floor has essentially 4 component parts:

- The existing timber floor is Kapur timber (an exotic hardwood, derived from trees of the genus *Dryobalanops* which is found in lowland tropical rainforests of Malaysia, Indonesia and South-East Asia);
- The boards are placed on cross-bearers or battens which are then fixed to timber joists, which in turn are fixed to
- The metal 'Valtor sprung system'; and
- Additionally, there are a number of brick-formed 'sleeper walls' but these are not considered to be of special interest.

5.3.8 During the course of considering this application, I have raised the following matters with Howard Barry (Floorteq Limited):

- If a locking key were located or a new one manufactured, could the floor be tensioned or un-tensioned as originally intended?
- What is the purpose of the damp proof membrane (DPM) mentioned at page 7 of the Design, Access and Heritage Statement?
- In terms of the hardness grading of timber how do Oak and Kapur compare?
- The Method Statement refers to the removal/disposal of skirting quadrant but not to its replacement – is skirting quadrant required?

5.3.9 It should be noted that without the existing locking key there is some uncertainty as to whether the floor can be 'locked' or 'unlocked' as originally intended. In response to my queries above, Mr Barry has replied as follows:

***1.Potential difference in suspension characteristics with regard to the Valtor Spring System***

*Currently we cannot confirm whether this system has been tensioned or relaxed for dance use so we can't speculate as to its ongoing effectiveness. The proposed use of solid oak planks, by way of replacement to the existing kapur, presents consistent characteristics. While not wishing to get too technical, Kapur has a Janka hardness rating of 1205 lb and density of 47 lb/ cu ft whereas European oak has a hardness rating of 1120 lb and density between 35 - 56 lb cu ft (depending on the exact location of origin). In summary, we can foresee no discernible difference to the existing floor (apart from the finished appearance).*

## **2. Inclusion of a damp proof membrane.**

*This really is a belt & braces approach to the installation, in view of potential damp within the floor void. Wood plank floors in general and oak, in particular are extremely susceptible to changes in (a) temperature and (b) humidity. A general rule of principle dictates that the temperature and humidity in the hall ideally should be the same as the temperature and humidity in the underfloor void to prevent distortion, twisting and buckling of the floor boards. That is the main reason why ventilation grills are currently fitted around the perimeter of the hall. The proposal is to simply lay Tyvek (or equivalent) vapour barrier across the top of the joists to provide a membrane beneath the support battens and floor boards.*

*As a point of reference, Junckers', one of the largest commercial flooring suppliers in Europe, recommend the inclusion of a damp proof membrane, irrespective of whether the floor is laid on a solid base or above a suspended void. I suggest if they are supplying 1000's of sq metres of solid wood flooring to sports centres and councils throughout the UK each year they must know something about the product's limitations.*

## **3. Replacement quadrant/ skirting boards**

*The existing floor does not appear to run beneath the skirting boards. Instead, a hardwood quadrant has been carefully fitted around the perimeter of the hall to cover the expansion gap and painted to match the skirting boards. We intend to replicate this approach, without removing the skirting boards, unless absolutely necessary. A new, replacement hardwood quadrant will be fitted and sealed to the skirtings, as previously. There is no provision at this stage, however, to redecorate the quadrant to match.*

### **5.4 Conclusion**

- 5.4.1 It is considered that the replacement oak floor will not occasion harm to the listed building, thereby, satisfying the provisions of Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the aims of Section 16 of the NPPF and Policy HE1 of the emerging North Hertfordshire Local Plan 2011 - 2031 Proposed Submission (September 2016) Incorporating The Proposed Main Modifications (November 2018) and is considered **UNOBJECTIONABLE**.

### **5.5 Alternative Options**

- 5.5.1 None applicable.

### **5.6 Pre-Commencement Conditions**

- 5.6.1 None applicable.

## 6.0 **Legal Implications**

6.1 In considering whether to grant listed building consent for any works, under Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the local planning authority is required to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

## 7.0 **Recommendation**

7.1 That Listed Building Consent be **GRANTED** subject to the following conditions:

1. The work to which this consent relates shall be begun by not later than the expiration of the period of 3 years from the date of this notice.

Reason: To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
















2. The existing skirting boards are not intended to be removed. However, the existing quadrant that has been fixed to the skirting to conceal the joint between the existing Kapur floor and skirting shall be removed and following the installation of the oak floor, new quadrant shall be installed and shall be decorated to match the existing skirting unless otherwise agreed and approved in writing by the Local Planning Authority.

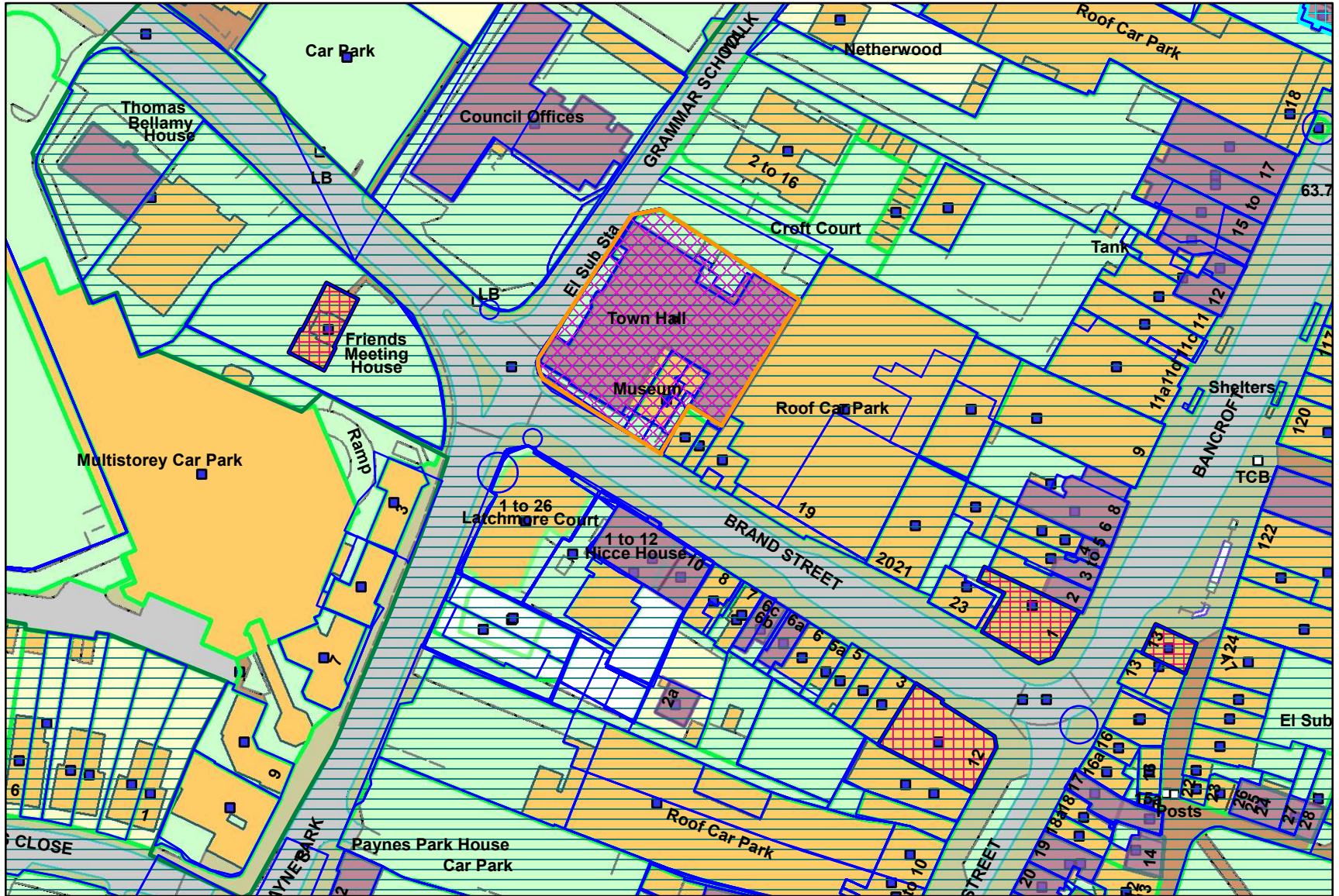
Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of this grade II listed building under Section 16(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.



## Application Validation Sheet

20/02371/LBC Hitchin Town Hall, Brand Street, Hitchin, Herts, SG5 1HX

-  Acolaid Land Parcel  
Property.shp
-  Acolaid Address Point  
ap.shp
-  Planning Application (1999)  
Prapps99.shp
-  Area of Outstanding Natural Beauty  
Pranob.shp
-  Listed Buildings  
Prlistbd.shp
-  Tree Preservation Order (Single)  
ORACLE
-  Tree Preservation Order (Group)  
ORACLE
-  Parish Boundary  
Prparish.shp
-  Conservation Area  
Prcrea.shp
-  District Local Plan Boundary  
Prdlp2.shp
-  Green Belt  
Prgrnbt.shp
-  Health & Safety Consultation Zone  
Prjnzone.shp
-  Landscape Conservation  
Prlandca.shp
-  Ward Boundary  
Prwardcd.shp
-  Noise Nuisance Indicators  
Prnnis.shp
-  Indicative Flood Plain  
Prifpn.shp



Scale 1:1,250  
Date: 01/12/2020



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<b>ITEM NO:</b>	
<u>Location:</u>	<b>Land To The Rear Of Nos 61 And 61A Radcliffe Road, Hitchin SG5 1QG</b>
<u>Applicant:</u>	<b>Mr Adams</b>
<u>Proposal:</u>	<b>Conversion and extension of existing outbuildings to form two semi-detached 3-bed dwellings including creation of vehicular access off Radcliffe Road together with associated parking and amenity area (as amended by plan received 21.10.20).</b>
<u>Ref. No:</u>	20/01638/FP
<u>Officer:</u>	<b>Andrew Hunter</b>

**Date of expiry of statutory period:**

21 September 2020

**Submitted Plan Nos.:**

20049 PL01, 20049 PL02, 20049 PL03 Rev A, 20049 PL04, 20049 PL05.

**Extension of statutory period:**

Agreed to 20 December 2020.

**Reason for referral to Committee:**

The application is to be determined by Planning Control Committee by reason of being called in by Councillor Ian Albert if officers are minded to recommend approval, for the following reasons:

*My initial grounds for objection to the development proposals at 61 & 61a Radcliffe Road is because of the serious and continuing impact on shared on-street parking for the residents of Radcliffe Road, that would be caused by the proposed second driveway and insufficient off-street parking. Access into this second driveway will reduce parking provision for other residents on the street and there are other alternatives to the current plan.*

*There is no need for local residents to lose out on on-street parking within the CPZ or have any further pressure placed on the serious parking problem in the area by inadequate parking being provided in the development.*

**1.0 Relevant Site History**

- 1.1 13/01964/1 - 1 x 4-bedroom detached dwelling, 1 x 3-bedroom detached dwelling, 1 x 2-bedroom detached bungalow together with associated rear parking area and detached garage to serve 4-bed dwelling; all following demolition of vacant hostel building – Approved 10/02/14.

1.2 06/00175/1 - Erection of pair of 2-bedroom semi detached dwellings and associated parking spaces following demolition of existing light engineering premises (as amplified by letter dated 18th May) – Approved 26/05/06.

## 2.0 **Policies**

### 2.1 **North Hertfordshire District Local Plan No.2 with Alterations**

Policy 8 – Development in Towns  
Policy 26 – Housing proposals  
Policy 55 – Car Parking Standards  
Policy 57 – Residential Guidelines and Standards

### 2.2 **National Planning Policy Framework**

Chapter 5 – Delivering a sufficient supply of homes  
Chapter 9 – Promoting sustainable transport  
Chapter 11 – Making effective use of land  
Chapter 12 – Achieving well-designed places

### 2.3 **North Hertfordshire Draft Local Plan 2011-2031 - (Approved by Full Council April 2017)**

SP1 – Sustainable development in North Hertfordshire  
SP2 – Settlement Hierarchy  
SP6 – Sustainable transport  
SP8 - Housing  
SP9 – Design and sustainability

T1 – Assessment of transport matters  
T2 – Parking  
HS3 – Housing mix  
D1 – Sustainable Design  
D3 – Protecting Living Conditions  
D4 – Air quality  
NE1 - Landscape

### 2.4 **Supplementary Planning Document**

Vehicle Parking at New Development SPD (2011)

## 3.0 **Representations**

### 3.1 **Site Notice:**

Start Date: 05/08/2020      Expiry Date: 28/08/2020

### 3.2 **Press Notice:**

Start Date: N/A      Expiry Date: N/A



### 3.3 Neighbouring Properties:

Eight objections were received from dwellings on Radcliffe Road and Walsworth Road, including Nos. 8, 11 and 5 The Cloisters Radcliffe Road, and 43a Walsworth Road. The objections also include a petition of 44 signatures from residents of Radcliffe Road opposed to the application.

These objections are on the following grounds:

- Strongly object.
- Cannot support the proposals due to second driveway and inadequate off-street parking.
- Second driveway reduces on-street parking for other residents by at least two spaces.
- Previous applications noted insufficient parking.
- Residents of the new properties will give visitor parking permits to guests, displaying residents and reducing amenity.
- Reduction in proposed parking provision from NHDC's standards not justified.
- Most residents on Radcliffe Road own at least one car, many own 2 or 3 with visitors.
- Often impossible to find a space on the street or in the CPZ (Controlled Parking Zone).
- A petition of 54 signatures asking HCC to withdraw permission for a dropped kerb at 61a Radcliffe Road is evidence of this.
- Other recently similar approved developments claimed in the Design and Access Statement used existing accesses or didn't reduce on-road parking amenity.
- Potential future development at Nos. 59, 60 and 61a Radcliffe Road. This with the current application could make future parking pressure intolerable.
- The application form incorrectly states there are 0 parking spaces – Google Earth shows 6 car parked on plots 1 and 2.
- Planning application 16/00562/1 was granted on the basis of 8 spaces being provided.
- This development will remove 6 spaces on the site and 2 on-street spaces.
- Any development should use the existing driveway north of No. 61 Radcliffe Road, allowing two spaces per home.
- Block light to my garden and property.
- More windows will allow direct views into my garden and windows.
- Increase in noise pollution.

### 3.4 Statutory Consultees:

Environmental Protection (Air Quality) – No objection.

Waste Officer – No objections.

Hertfordshire County Council highways – Does not wish to restrict the grant of permission subject to conditions.

#### COMMENTS

The proposal comprises of the conversion and extension of existing outbuildings to form two semi-detached 3-bed dwellings including creation of vehicular access off Radcliffe Road together with associated parking and amenity area.

## VEHICLE ACCESS

To implement the development the new access would require the removal of at least one of the existing controlled parking zone parking bays along Radcliffe Road that is designated as a one-way local access road subject to a speed limit restricted to 30 mph.

Within section 8 of the application form Pedestrian and vehicle access, roads and rights of way the applicant has implied that there is a new vehicle access proposed from the public highway to the property.

Prior to commencement of the development, the applicant would need to show current written evidence of the approval of the vehicle cross over from HCC and support from North Herts District Council for the shortening of the controlled parking zone promulgated through a traffic regulation order.

The width of access is acceptable for this small scale development and complies with Roads in Herts Highway Design Guide. Moreover, a single lane access will normally be sufficient to serve up to 3 individual dwellings (reference; Roads in Herts Highway Design Guide Section 2; 8.5.4. Shared Private Drives / Access). Page 29 (MfS 2.75 metres).

## PARKING AND TURNING

Parking provision should be provided to comply with the North Herts District Council SPD on parking at new development.

More details are required to show that the turntable facility can be achieved and how it is operated by delivery drivers and all residents with an agreement for the facility to be maintained jointly in perpetuity to be included as part of the planning permission

## HIGHWAY SAFETY - Visibility along the highway from the existing access

Vehicle to vehicle inter-visibility and pedestrian visibility would be provided when implementing the vehicle cross over. A site visit undertaken showed that the above mentioned visibility is acceptable for vehicles entering and exiting the site and complies with levels of visibility found in Manual for Streets [Visibility splays at junctions 7.7 and visibility along the street edge 7.8.3]

## WASTE COLLECTION

The bin storage area is not shown located in an accessible location, the bins should be stored in an area that can be accommodated with 15 m of the public highway and any method of collection should be agreed with North Herts District Council collection agency.

Reference: Manual for Streets section 6.8.11 Department for Transport (DfT) 2007 (BSI 2005 BS 5906: Waste Management in Buildings – Code of Practice. London:BSI. Roads in Hertfordshire – Highway Design Guide North Herts District Council - Waste collection

## IMPACT ON THE LOCAL HIGHWAY NETWORK

Traffic generation

Within Section 9. Vehicle parking the applicant indicated that there is an increase of parking provision by three spaces therefore there is no significant increase to traffic generation.

The new development will have appropriate off-road parking and a turning facility to enable the residents vehicles to turn around and egress the access in forward gear.

#### ACCESSIBILITY BY PUBLIC TRANSPORT

Pedestrians have access to an extensive network of footways which are on both sides of the road within the vicinity of the site and are complimented by crossing facilities.

The town centre and local facilities have a realistic access from the development by walking and cycling the rail station is 570 metres away. The nearest bus stops are located along the adjacent connecting roads to the site along Walsworth Road and Nightingale Road within 300 metres of the development there are links to Letchworth, Stevenage and Welwyn.

#### CONCLUSION

Hertfordshire County Council as Highway Authority has considered that the proposal would not have an unreasonable impact on the safety and operation of the adjoining highways and do not wish to restrict the grant of planning permission on highway grounds subject to the above recommended planning conditions and highway informative.

Environmental Health (Noise) – No objections.

Environmental Health (Land Contamination) – No objections.

Parking Manager - So far as I am concerned there should not be a problem caused by dropping the kerb for a driveway

#### 4.0 **Planning Considerations**

##### 4.1 **Site and Surroundings**

- 4.1.1 The majority of the site comprises a two storey building with a pitched roof and two single storey projections which was used as storage/offices, and is now redundant. The site also includes a strip of land south and adjacent to No. 61a Radcliffe Road, extending to the public highway. The blue-edged land comprises a pair of two storey semi-detached dwellings and ancillary land to the rear, including a vehicular access from Radcliffe Road. Rear party boundaries predominantly comprise 2m high walls and fences.
- 4.1.2 Properties adjacent and near the site are residential dwellings, with the area having a predominantly residential character. A church is to the north, and a shop is to the south. A small eastern part of the site is within a Conservation Area. Radcliffe Road is included in a Controlled Parking Zone.

## 4.2 **Proposal**

- 4.2.1 Planning permission is sought for the change of use of the redundant building to two 3 bedroom dwellings. Various enlargements and external alterations are proposed in association with the change of use, the key changes being a two storey front extension with an increase in roof height, a pitched roof on the flat roof of that respective single storey projection and a reduction in its depth, a single storey front and side extension, and alterations to external materials and openings.
- 4.2.2 Each dwelling would have a courtyard garden area to the front of their plots. Each dwelling would have one parking space, with bin storage areas between the parking spaces and the south boundary of the site. The parking area would include a turntable for vehicles to exit the site in a forwards gear, and a parking space for No. 61a Radcliffe Road.
- 4.2.3 Vehicular access to the site would be by a proposed new crossover onto Radcliffe Road, between Nos. 61a and 62. The crossover would open onto an existing on-street marked parking bay, part of which would be removed to provide access to the crossover.

## 4.3 **Key Issues**

- 4.3.1 The key issues for consideration are as follows:
- The acceptability of the principle of the proposed works in this location.
  - The acceptability of the design of the proposed development and its resultant impact on the character and appearance of the area.
  - The impact that the proposed development would have on the living conditions of neighbouring properties.
  - Whether the proposal would provide an acceptable standard of accommodation for future occupiers of the dwellings.
  - The impact that the proposed development would have on car parking provision and the public highway in the area.

### Principle of Development:

- 4.3.2 The site is within Hitchin, a Town under Policy 8 of the adopted Local Plan. Policy 8 states that the Council will normally permit proposals to meet the majority of the development needs of the District if the aims of other relevant policies are met. New residential development and extensions and alterations to existing buildings are acceptable in principle. Policy SP2 of the emerging Local Plan states that the majority of the District's development will be located within Towns, including Hitchin. The proposal is acceptable in principle, subject to other detailed policies being complied with.

#### Character and appearance:

- 4.3.3 The building the subject of the application and the land to its east are in a relatively poor condition. The proposal would result in visual improvements to the building and site which would benefit them and the wider locality. Small-scale residential is considered acceptable here given the location and previous fairly recent planning permissions for new residential in the same location. The enlargements to the building are relatively small in size and would be subordinate, and would be of a design in keeping with its character and appearance and the locality. The new external materials of slate roof tiles, timber cladding, off-white render, red bricks and dark aluminium-framed fenestration are considered of an acceptable quality in respect of the application site, and of the wider locality which includes buildings of a mix of materials.
- 4.3.4 The landscaping proposed for the wider site is considered acceptable, with planting further enhancing the site. Details of hard surfacing and planting have not been provided, however these can be required by an appropriate condition. Bin storage is in an acceptable and accessible location within the site and from the public highway.

#### Impacts on Neighbouring Properties:

- 4.3.5 The site shares boundaries to its south and east with dwellings and their rear gardens. Dwellings to the north of Nos. 61 and 61a Radcliffe Road would not be affected due to their distance from the proposed development.
- 4.3.6 Nos. 62 and 63 Radcliffe Road have rear and side boundaries that adjoin the application site, with the building the subject of the conversion extending along both rear boundaries of these dwellings. The southernmost single storey projection that would have an altered roof would be at an oblique angle from No. 63 as the amended roof would be adjacent to the rear boundaries of Nos. 41 and 42 Walsworth Road, and would not affect Nos. 63 and 62.
- 4.3.7 The enlargements and alterations to the building that would be most evident to Nos. 62 and 63 would be an increase in its ridge height, a change of the roof materials, and new rooflights on the rear roof slope. The proposed ridge increase would be approx. 0.4m, with the ridge being 3.1m from the boundaries of those dwellings – this would be a small increase in height with limited impacts, which I do not consider harmful to amenity. The change of roof materials to slate would result in the eaves being approx. 10cm higher, which I also consider small and not harmful to amenity.
- 4.3.8 Nine new rooflights would be proposed. Due to their siting on the rear roof slope for first floor accommodation, they would provide outlook from those rooms of the sky and would not result in loss of privacy to Nos. 62 and 63. The existing rear roof slope presently contains 9 rooflights of a similar size to those proposed, therefore I do not consider that perception of loss of privacy would be materially greater than the present situation. Impacts on the amenity of Nos. 62 and 63 Radcliffe Road are considered acceptable.

- 4.3.9 The site shares a boundary with Nos. 41, 42, 43 and 44 Walsworth Road. The enlargement of the two storey part of the building would be small and set away from the boundaries of the above dwellings, and is not considered harmful.
- 4.3.10 The enlargement of the building that would be most evident to Nos. 41, 42 and 43 would be a single storey front extension and alterations to the roof of an existing single storey side projection. This extension would be to the north of the above Walsworth Road dwellings with a roof sloping away from them, therefore I do not consider it would appear overbearing or result in loss of light to their main habitable rooms. The extension would be more visible from the rear gardens of those dwellings, however as it would be at the ends of those gardens and single storey with a roof sloping away from them, I do not consider that it would appear harmfully overbearing. The rooflights proposed on the roof slope would serve ground floor accommodation which would provide outlook primarily of the sky with only oblique views of No. 42 Walsworth Road, therefore I do not consider that loss of privacy and amenity would be caused.
- 4.3.11 The conversion to residential would result in the first floors being primarily used for bedrooms, with the two largest bedrooms of each dwelling having front elevation windows facing the rear gardens of No. 43 and 44 Walsworth Road. Views of the garden of No. 43 would be oblique, and restricted by the closest window being at a higher level and by the adjacent pitched roof proposed of the front and side extension, therefore I do not consider No. 43 would experience harmful loss of privacy and amenity.
- 4.3.12 The first floor front windows would be approx. 10.3m from the boundary of the site with the rear garden of No. 44 Walsworth Road. Guideline 7 of Policy 57 of the adopted Local Plan states that a distance of 30m between the rears of dwellings may achieve a minimum degree of privacy, which infers that a distance of 15m from the rear of one dwelling to a boundary fence would be acceptable. This is a guideline therefore new development does not need to rigidly comply with the above distances. The 10.3m distance to the boundary with No. 44 is in any case not considered unreasonable in this central location in Hitchin where densities are higher and buildings closer together. In addition the first floor bedroom windows proposed would face towards the end of the rear garden of No. 44 and would not directly overlook its rear elevation, therefore I do not consider that loss of privacy and amenity would be caused to that dwelling.
- 4.3.13 The change of use would result in an increase in the intensity of the use of the site. As only two relatively modest dwellings are proposed it is considered that the potential for noise and other disturbance would be limited. It is also not considered that such impacts from the use itself would be significantly different to those from other residential uses granted planning permission at the site. For the reasons above I do not consider that the proposal would be harmful to residential amenity.

Amenity of Future Occupiers:

- 4.3.14 Paragraph 127 (f) of the NPPF states that “*decisions should ensure that developments... create places that are safe, inclusive and accessible and which promote health and wellbeing, with a high standard of amenity of future and existing users*”. Paragraph 127 (f) is largely reflected in Guideline 8 of Policy 57 in the Saved Local Plan and Policy SP9 of the Emerging Local Plan.
- 4.3.15 The main habitable rooms of the proposed dwellings are largely considered to be of an adequate size and would receive sufficient outlook and light. The exception is Bedroom 3 of each dwelling which would be approx. 6 m<sup>2</sup> and below the 7.5 m<sup>2</sup> of the March 2015 Technical Housing Standards and would have two rooflights above a normal window level, although I acknowledge the difference in floor space is not large and the use of two rooflights would provide outlook and light. The proposed dwellings would not be harmfully affected by neighbouring properties.
- 4.3.16 The gardens would be small, however they would provide some private amenity space. Given the constraints of the site and the denser town centre location where there is less space generally, I do not consider the amount of private amenity space unacceptable. The site is also a short walk from the large area of public open space Windmill Hill to the south-west, therefore I consider available amenity space acceptable. Living conditions of future occupiers are considered acceptable.

Parking and Highways:

- 4.3.17 The creation of a new crossover onto Radcliffe Road has not raised objections from the County Council highways officer regarding public safety, therefore I do not consider that the crossover is unacceptable with regards to the safe operation of the public highway.
- 4.3.18 Each dwelling would have three bedrooms and one parking space. The Council's parking standards for dwellings with two or more bedrooms are for a minimum of two parking spaces, therefore each dwelling would have one less space than the minimum. Appendix 4 of the emerging Local Plan states:

*Reductions will be considered only in exceptional circumstances e.g. in town centres or other accessible locations with the availability of a range of local services and good local sustainable transport options and for e.g. small-scale conversion of buildings for a small number of residential units in defined town centres.*

- 4.3.19 The site is close to Hitchin town centre and is accessible on foot and by bicycle, and the site is also within comfortable walking distance of rail and bus transport. There are also some local shops nearby on Walsworth Road within easy walking distance, while the proposal is considered to be a small-scale conversion for a small number of residential units. Taking the above into consideration the site is very sustainable where not every journey would be made by car, while both dwellings would at least have one parking space which would help to minimise parking pressures in the wider area. I consider that a reduction in parking provision can be justified in this instance due to the above factors. Cycle parking provision can be adequately provided in the curtilages of the proposed dwellings.
- 4.3.20 Both parking spaces would be in a small part of the site with no space available to reversing so that vehicles could exit the site in a forwards gear. To deal with this, the proposal includes a 4.5m wide turntable. The County Council highways officer has recommended that a condition be imposed on any permission granted requiring details of the future management and maintenance of the turntable, and for the turntable to be operated in accordance with any such approved details. I consider this approach acceptable in ensuring the retention of the turntable and enabling the proposed parking spaces to be accessed safely and conveniently.
- 4.3.21 The entrance to the proposed vehicular access would be on Radcliffe Road, and would involve removing a length of allocated on-street parking measuring approx. 5.4m. Manual for Streets defines one on-street parking space parallel to the street as typically needing to measure 6m in length (paragraph 8.3.48). On this basis, the proposal would remove one parking space which is allocated for permit holders, in an area that experiences high demands for parking and consequent pressures. The high level of objections from local residents on this issue is indicative of this.
- 4.3.22 The loss of one on-street allocated parking space is therefore an impact caused by the proposed development. However there have not been concerns raised by the Council's parking section in relation to the loss of the parking space, therefore it is considered that this is a harm that is limited and one that needs to be weighed in the overall planning balance against the proposal. On this basis there are no reasonable grounds for objections to the loss of the single allocated parking space. The proposal is considered acceptable in all other aspects relating to parking and impacts on the public highway.



### Climate Change Mitigation:

4.3.23 The NPPF supports the transition to a low carbon future and the increased use of renewable energy sources. North Hertfordshire District Council has declared itself a Climate Emergency authority and its recently adopted Council Plan (2020 – 2025) seeks to achieve a Council target of net zero carbon emissions by 2030 and protect the natural and built environment through its planning policies. The development in Section 5 of its Planning Statement states that the dwellings would be an improvement on the minimum Building Regulations standards. Emerging Local Plan Policy D1 seeks to reduce energy consumption and waste. To assist in achieving these aims, Electric Vehicle Charging points will also be conditioned to be installed on the two parking for spaces for each of the proposed new dwellings.

## 4.4 **Conclusion**

4.4.1 The LPA is not able to demonstrate a five year housing land supply. The tilted balance set out in paragraph 11 of the NPPF is engaged as the proposal is not considered harmful to the Conservation Area. This requires granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

4.4.2 The adverse impacts are:

- The loss of an on-street parking space. I consider this harm limited on the basis of the absence of objections from the Council's parking section.
- The smallest bedroom of each dwelling being under the internal space sizes of the Technical Housing Standards with no windows. I consider this harm limited though as the difference in size is small at 1.5 sqm, and the use of two rooflights for each bedroom would provide some outlook and light.

4.4.3 The benefits are:

- Two new dwellings in a sustainable location. I consider these benefits limited to moderate as only two new dwellings would be provided.
- Visual improvements to the site from the re-development. I consider these benefits moderate as the condition of the existing site has limited visual impacts on the wider locality therefore its redevelopment will not result in significant improvements in this respect. The condition of the existing site largely relates to the appearance of the roof of the building and the yard in front and the general untidiness of the site. In this context the improvements to the site itself are considered a moderate benefit.

4.4.4 It is considered that the adverse impacts from the development would be very limited while the benefits would be moderate. In the context of paragraph 11 of the NPPF, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. In this case the benefits are considered to outweigh the adverse impacts, therefore it is recommended that planning permission is granted.

#### 4.5 **Alternative Options**

4.5.1 None applicable

#### 4.6 **Pre-Commencement Conditions**

4.6.1 Pre-commencement conditions as below are recommended, which have the agreement of the applicant.

#### 5.0 **Legal Implications**

5.1 In making decisions on applications submitted under the Town and Country Planning legislation, the Council is required to have regard to the provisions of the development plan and to any other material considerations. The decision must be in accordance with the plan unless the material considerations indicate otherwise. Where the decision is to refuse or restrictive conditions are attached, the applicant has a right of appeal against the decision.

#### 6.0 **Recommendation**

6.1 That planning permission be **GRANTED** subject to the following conditions:

1. The development hereby permitted shall be 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 occupation of the approved development, the following landscape details shall be submitted:

a) what new trees, shrubs, hedges and grassed areas are to be planted, together with the species proposed and the size and density of planting

b) the location and type of any new walls, fences or other means of enclosure and any hardscaping proposed - hard surfaces shall be of porous materials, or provision shall be made to direct run-off water from the hard surfaces to a permeable or porous area or surface within the curtilages of the dwellings

Reason: To ensure the submitted details are sufficiently comprehensive to enable proper consideration to be given to the appearance of the completed development.

4. 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.

5. Prior to occupation, each detached property 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.

6. Land Contamination Condition

(a) No development approved by this permission shall be commenced prior to the submission to, and agreement of the Local Planning Authority of a written preliminary environmental risk assessment (Phase I) report containing a Conceptual Site Model that indicates sources, pathways and receptors. It should identify the current and past land uses of this site (and adjacent sites) with view to determining the presence of contamination likely to be harmful to human health and the built and natural environment.

(b) If the Local Planning Authority is of the opinion that the report which discharges condition (a), above, indicates a reasonable likelihood of harmful contamination then 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

(c) 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 (b), above; has been submitted to and approved by the Local Planning Authority.

(d) This site 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 (c) above have been fully completed 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 the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority.

(e) Any contamination, other than that reported by virtue of condition (a) and (b), encountered during the development of this site 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 this site.

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.

7. No development shall commence until a Construction Traffic 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 shall consist 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.

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).

8. No development shall commence until full details have been submitted to and approved in writing by the Local Planning Authority in conjunction with HCC in relation to the proposed arrangements for future management and maintenance of the proposed turntable retained at the position shown on the approved drawing number 20049 PL03 within the development. The turntable shall thereafter be maintained and operated in accordance with the approved management and maintenance details in perpetuity.

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

9. Prior to the first occupation of the development hereby permitted the vehicular access shall be provided and thereafter retained at the position shown on the approved drawing number 20049 PL03. Arrangement shall be made for surface water drainage 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).

10. The gradient of the vehicular access shall not exceed 1:20 for the first 5 metres into the site as measured from the rear edge of the adjacent footway.

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

Proactive Statement:

Planning permission has been granted for this proposal. The Council acted proactively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted proactively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

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## Application Validation Sheet

20/01638/FP Land to the Rear of Nos 61 and 61A Radcliffe Road, Hitchin, SG5 1QG

- Acolaid Land Parcel  
Property.shp
- Acolaid Address Point  
ap.shp
- Planning Application (1999)  
Prapps99.shp
- Area of Outstanding Natural Beauty  
Pranob.shp
- Listed Buildings  
Prlistbd.shp
- Tree Preservation Order (Single)  
ORACLE
- Tree Preservation Order (Group)  
ORACLE
- Parish Boundary  
Prparish.shp
- Conservation Area  
Prconarea.shp
- District Local Plan Boundary  
Prdlp2.shp
- Green Belt  
Prgrnbelt.shp
- Health & Safety Consultation Zone  
Prhzone.shp
- Landscape Conservation  
Prlandca.shp
- Ward Boundary  
Prwardcd.shp
- Noise Nuisance Indicators  
Prnoise.shp
- Indicative Flood Plain  
Prifpm.shp



Scale 1:1,250  
Date: 01/12/2020



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<b>ITEM NO:</b>	
<u>Location:</u>	<b>Ashcroft Slip Lane Old Knebworth Knebworth Hertfordshire SG3 6QG</b>
<u>Applicant:</u>	<b>Mrs Tracey Sullivan</b>
<u>Proposal:</u>	<b>Erection of one detached 4-bed dwelling including creation of vehicular access off Slip Lane</b>
<u>Ref. No:</u>	20/02474/FP
<u>Officer:</u>	<b>Tom Rea</b>

**Date of expiry of statutory period :** 24.12.2020

**Reason for Delay** (if applicable)

None

**Reason for Referral to Committee** (if applicable)

In view of Knebworth and Codicote Parish Council objections this application is being reported to Committee at the discretion of the Development & Conservation Manager

## 1.0 **Relevant History**

1.1 06/00724/1HH: First floor rear extension, single storey rear extension and pitched roof to front porch. Detached double garage. Granted 29.6.06

1.2 17/000493/1HH: Single storey side and rear extensions. Granted 21.04.17

## 2.0 **Policies**

### 2.2 **National Planning Policy Framework (2019)**

Generally relevant throughout although the following sections are particularly relevant:

- Section 5 'Delivering a sufficient supply of homes'
- Section 11 'Making effective use of land'
- Section 12 'Achieving well-designed spaces'
- Section 13 'Protecting green belt land'
- Section 15 'Conserving and enhancing the natural environment'
- Section 16 'Conserving and enhancing the historic environment'

## 2.3 **North Hertfordshire District Local Plan 2011-2031 Proposed submission (September 2016) incorporating the Main Modifications (November 2018)**

Policy SP2: Settlement Hierarchy

Policy SP5 :Countryside and Green Belt

Policy SP6: Sustainable transport

Policy SP8: Housing

Policy SP9: Design and Sustainability

Policy SP13: Historic Environment

Policy T2: Parking

Policy D1: Sustainable Design

Policy D3: Protecting Living Conditions

Policy D4: Air Quality

Policy NE1: Landscape

Policy NE7: Reducing Flood Risk

Policy HE1: Designated Heritage Assets

Policy HE4: Archaeology

## 2.4 **Codicote Neighbourhood Plan**

The Codicote Neighbourhood Plan area was designated on 24<sup>th</sup> June 2014. Consultation is currently being carried out by the Codicote Neighbourhood Forum. At present the Plan has no statutory weight.

## 3.0 **Representations**

The following representations have been received:

### 3.1 **Knebworth Parish Council:**

Objects. Site is in Green Belt and no exceptional circumstances have been put forward. A large detached dwelling is out of character with adjacent properties.

### 3.2 **Codicote Parish Council:**

'Objection on the grounds of being within the green belt'

### 3.3 **Local Residents:**

Several letters expressing concerns have been received. Full details can be seen on the Council's web site. Summary of the comments received:

- An overdevelopment of the site
- Will dominate the area

- May be further bedrooms
- Site within the Green Belt and Conservation Area
- Very limited development has been permitted in Nup End
- Will have an immediate visual impact
- Design, appearance and character not appropriate / in keeping
- Loss of important landscaping
- Harm to character and appearance of the Conservation Area

**3.4 Heritage England:**

Any comments received will be reported at the Committee meeting

**3.5 Hertfordshire Highways :**

No objections are raised. Recommends highway conditions and informatives

**3.6 NHDC Environmental Health Service:**

Contamination

Recommends a condition and informative

Air Quality

Recommends an Electric Vehicle ready domestic charging point condition and informative

Noise

No objections. Recommends a Construction phase informative

**3.7 Landscape and urban design officer:**

Advises that a landscaping and tree planting / tree protection conditions are attached to any permission.

**3.8 Hertfordshire County Council Historic Environment Advisor:**

Recommends conditions requiring the submission of an Archaeological Written Scheme of Investigation (WSI), compliance in accordance with the WSI and post investigation assessment and recording.

- 3.9 Hertfordshire Ecology :** Recommends a Landscape and Ecological Management Plan condition, a compliance with the submitted ecological report by P. Irving and an informative covering various matters.

**3.10 NHDC Waste Management:**

Provides general advice on waste and recycling storage and collection arrangements.

## 4.0 Planning Considerations

### 4.1 Site & Surroundings

- 4.1.1 The application site is located at the junction of Slip Lane and Park Lane, Old Knebworth, approximately 2 km to west of the settlement of Knebworth. The site is within the Green Belt and the Old Knebworth Conservation Area.
- 4.1.2 The application site forms part of the garden of Ashcroft, a semi-detached two storey dwelling with detached double garage. Ashcroft has two vehicular access off Slip Lane one being gated. The application site is formed through the sub-division of the existing garden to Ashcroft and comprises 0.23 hectares and is relatively flat. The portion of garden the subject of this application consists mainly of mown grass with ornamental shrubs and small trees with a number of mature trees along the south west and north west perimeters of the site. The boundaries of the site also feature a mixture of beech and holly hedgerow interspersed with field maple.
- 4.1.3 To the west of the application site are a pair of semi-detached dwellings (the nearest being Ashcroft) and opposite the application site to the north west is Park Gate House a grade II listed building. To the rear of the site are several cottages (Nos 1 – 6 Park Lane). Park Lane and Slip Lane form the northern and western boundaries to the site. Directly opposite the site is an arable field beyond which are further dwellings within the village.
- 4.1.4 Old Knebworth is a rural village set in an agricultural and parkland landscape. The village is linear in form with development, in the main, fronting or being adjacent to the main carriageway running through it – Park Lane.
- 4.1.5 Old Knebworth is classified as a Category 'B' village in the Emerging Local Plan (2011 – 2031) .

### 4.2 Proposal

- 4.2.1 This full planning application seeks consent for a single detached dwelling immediately to the west of Ashcroft between the existing double garage and the boundary with Park Lane. The dwelling would be 15.5 metres in overall width and 14 metres deep overall with a maximum ridge height above ground level of 11 metres. The eaves height would be 6 metres. The dwelling would be set back 17 metres from the Slip Lane boundary with a parking area between the front of the house and Slip Lane. The house would be of a traditional form and appearance comprising a gabled roof with chimneys, red brick elevations, plain tile roof and white painted timber georgian style windows. The rear facing roofslope contains two flat roofed dormer windows and the rear elevation includes a ground floor projection with parapet roof.
- 4.2.2 An existing gated access close to the Slip Lane / Park Lane junction would be closed up and a new vehicular access provided to serve the new dwelling. The existing vehicular access to Ashcroft would remain.
- 4.2.3 The application is supported by the following documents
- Planning, design and access statement
  - Heritage Statement
  - Tree Survey
  - Ecological report
  - Traffic count data

#### 4.2.4 Key issues

4.2.5 The key issues for assessment with this proposal are considered to be as follows:

- The principle of the development
- Impact of the development on the character and appearance of the area
- Impact on heritage assets
- Highway and access issues
- Sustainability
- Environmental issues including climate change impact
- Living conditions
- Planning balance

#### 4.2.6 The principle of the development

4.2.7 The site is within the Green Belt and paragraph 143 of the NPPF confirms that inappropriate development in the Green Belt is by definition harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 145 of the NPPF states that new buildings should be regarded as inappropriate in the Green Belt however it sets out exceptions to this including *'limited infilling in villages'* (Paragraph 145 e))

4.2.8 Saved Policy 2 ('Green Belts') of the adopted local plan is consistent with the NPPF insofar as it seeks to resist inappropriate development within the Green Belt. Saved Policy 3 ('Settlements within the Green Belt') states that the Council will not normally permit development proposals except in certain circumstances including *'a single dwelling on a small plot located within the built core of the settlement, which will not result in the outward expansion of the settlement or have any other adverse impact on the local environment or other policy aims within the Green Belt'*.

4.2.9 The application site is located within Old Knebworth village. Old Knebworth is identified in Policy SP2 of the Emerging Local Plan (ELP) as a Category B village within which development will be permitted which does not extend the built core of the village.

4.2.10 Old Knebworth, although comprised of several distinctive parts, is a predominantly residential settlement of over 60 dwellings served by a classified road linking the major settlements of Codicote and Knebworth. In terms of community facilities the village includes Knebworth House and Garden, the Lytton Arms public house and St. Marys Church. Knebworth Cricket Club is located next to Knebworth House however planning permission exists to relocate the club to the western side of Park Gate House. Bus services extend into the village with bus stops located close to the war memorial and there is a significant village green. The settlement is consistently referred to as a village in the ELP and other documents such as the Old Knebworth Conservation Area Character statement.

4.2.11 Taking the above matters into account I am satisfied that Old Knebworth constitutes a village and therefore meets the necessary definition as part of the exception at paragraph 145 e) of the NPPF .

- 4.2.12 The term 'infilling' is not defined in the National Planning Policy Framework but is generally taken to mean the development of a gap in an otherwise built up frontage. The proposal would be set alongside the existing dwelling Ashcroft within an existing residential garden and there is further built form directly opposite the site at Park Gate House as well as immediately to the rear of the site with the row of cottages at Nos. 1 – 6 Park lane. The site is also boundaried by Slip Lane and Park Lane. In these circumstances I am of the view that the proposal could reasonably be described as 'infill development' and therefore meets the exception at 145 e) of the NPPF.
- 4.2.13 As mentioned above Policy SP2 of the ELP allows for development in a Category 'B' village that does not extend beyond the built core. Given the relative containment of the site by surrounding built development as described above it is considered that the proposal would not result in an expansion of the settlement beyond its built core and therefore would comply with Policy SP2 in this regard.
- 4.2.14 Paragraph 48 of the NPPF allows for Local Authorities to give weight to relevant policies in emerging plans according to the following:
- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);*
  - b) the extent to which there are unresolved objections to relevant significant the unresolved objections, the greater the weight and*
  - c) the degree of consistency of the relevant policies in the emerging Framework (the closer the policies in the emerging plan to Framework, the greater the weight that may be given).*
- 4.2.15 In terms of a) the ELP is at an advanced stage of preparation following several years of consultation, the publication of Main Modifications and the conclusion of the latest Examination in Public sessions. In terms of b) throughout the ELP process so far there has been very little discussion or objection raised concerning the lower tiers of the settlement hierarchy (including the proposed Category 'B' villages) and no suggestion that Policy SP2 should be revised in terms of the Category B village designations. Finally in terms of c) I consider that the infill policy to be allowed in these villages is broadly in line with the relevant policies in the NPPF and specifically paragraph 145 e) which allows for 'limited infilling in villages'.
- 4.2.16 An assessment of the effect of the proposed development on the openness of the Green Belt and the purposes of including land within it also needs to be considered. The site is within an established residential garden contained by mature landscaping and Slip Lane and Park Lane. Built form in the forms of Park Gate House, Ashcroft and Nos. 1 – 6 Park Lane are adjacent to the site on three sides. As such it is not considered that the openness of this part of the Green Belt would be harmed.
- 4.2.17 Having regard to the five Green Belt purposes set out at paragraph 134 of the NPPF the proposed development would not result in urban sprawl or the merging of neighbouring towns. It would not encroach upon open countryside given its position in relation to the built form surrounding it as mentioned above. The proposal does not affect any historic town and the last bullet point of paragraph 134 is not relevant in terms of recycling derelict and other urban land. It is concluded therefore that the proposed development does not conflict with the purposes of including land within the Green Belt and no harm would be caused to the openness of the Green Belt.

#### 4.2.18 Summary on the principle of the development

Given the analysis above it is considered that the proposal would constitute limited infilling within a village meeting the exception identified at paragraph 145 e) of the NPPF. Accordingly, the proposal would not be considered inappropriate development in the Green Belt and no very special circumstances would need to be advanced to justify the development. In addition, there would be no conflict with the five purposes of Green Belt as set out in paragraph 134 of the NPPF. Furthermore, the proposal would be generally in compliance with the criteria set out in the settlement hierarchy strategy under Policy SP2 of the Emerging Local Plan.

#### 4.2.19 **Impact on character and appearance**

4.2.20 The application site currently forms part of the garden curtilage of Ashcroft. Ashcroft and the adjoining semi-detached Highfield Cottage are two storeys in height with steep pitched roofs and chimneys with red brick and plain tiles as the main external materials. The proposed dwelling would have a traditional form and appearance with similar materials and features as the adjacent cottages. The ridge height of the new dwelling would be no higher than the existing dwellings and the siting of the dwelling would be on a similar alignment as that of the cottages. Two flat roofed dormer windows are proposed in the rear elevation and set within the roof slope and these would be of a similar scale and proportion to those at Park Gate House opposite. The new house would sit comfortably within its curtilage with considerable separations distances from Ashcroft and the site boundaries with Slip Lane and Park Lane.

4.2.21 A key characteristic of the existing group of buildings is not only their traditional form and appearance but their landscaped setting. The existing generous garden to Ashcroft contributes significantly to this verdant and well established landscaped setting. The applicant has commissioned a tree survey report to evaluate the impact of the development on the existing landscaping. The survey reveals that out of the existing 14 individual trees, 5 groups of trees and two hedgerows only one moderate tree, one low quality tree and one low quality group will need to be removed to facilitate the development. It acknowledges that the loss of trees at the site frontage will impact on visual amenity but that this can be compensated for with additional low level planting. The limited footprint of the new dwelling comparative to the plot size together with its location primarily within existing lawned area means that the vast majority of the mature trees and planting within the site can be retained thus maintaining the landscaped character of the area. The tree survey makes recommendations including a root protection strategy should permission be granted.

4.2.22 Overall it is considered that the design of the proposed dwelling, the retention of existing landscaping around the site and the separation from existing dwellings is sympathetic to the prevailing built form, rural appearance and spatial context of the locality.

#### 4.2.23 Summary on character and appearance

The proposed development promotes a high standard of design and layout and a harmonious integration with the existing distinctive landscape character. The proposal would be sensitive to its surroundings and would meet the criteria set out in Policy 57 of the Local Plan and paragraph 127 of the National Planning Policy Framework. Accordingly the proposal would have an acceptable impact on the character and appearance of the area.

#### 4.2.24 **Impact on heritage assets**

4.2.25 The site is within the Old Knebworth Conservation Area and within the setting of Park Gate House which is located immediately opposite the site to the north west. The impact of the development on the setting of Knebworth Park, a Grade II \* Registered Park and Garden is also a material planning consideration. In addition, Ashcroft and Highfield Cottage are identified as 'positive buildings' on the Old Knebworth Conservation Area Map.

4.2.26 The submitted Heritage statement addresses the significance of the designated heritage assets and the impact of the development on the assets. In respect of the impact on the Conservation Area the statement concludes that the development would reflect the grain of development in the immediate area and the proposed dwelling would be of a scale and design in keeping with the adjacent cottages. No important green spaces within the Conservation would be affected. I would agree with this view particularly as the development would be confined to the existing garden of Ashcroft and that the majority of the mature planting around the site would be retained. It is acknowledged that there will be some views of the dwelling on the approach to the site along Park Lane from the east however these views would be partially screened by retained landscaping and would be experienced alongside views of the existing cottages. Some landscaping will be removed to facilitate the vehicular access and views will be obtained of additional hardstanding and built development to users of Slip Lane in passing the site entrance.

4.2.27 Park Gate House (Grade II) is located on the opposite corner of the application site. The house has no known functional relationship with Ashcroft and is set back behind a high boundary wall and further screened by mature trees. I would agree with the Heritage statement that there is limited intervisibility between the listed building and the application site and that the setting of Park House would not be affected by the proposed development.

4.2.28 Knebworth Park and Garden is (RPG) opposite the application site and comprises over 300 hectares of parkland in a rural setting. The application site is very much on the periphery of the RPG and because it is contained within an existing residential garden, is well screened by trees and across the main road from the RPG boundary the development is unlikely to have any impact its setting as a heritage asset.

4.2.29 In terms of archaeological assets it has been documented that the settlement may have Saxon or medieval origins. The County Historic Environment Advisor considers that this matter can best be addressed via an appropriately worded archaeological condition.

#### 4.2.30 Summary on the impact on heritage assets

For the reasons set out above overall I consider that the proposed development is unlikely to have any significant effect on the designated heritage assets and if there were any perceived harm this would be at the lower end of the scale in terms of 'less than substantial harm' as mentioned in Section 16 of the NPPF.



#### 4.2.31 Highway and access issues

4.2.32 The proposal would involve a new vehicular access off Slip Lane although an existing vehicular access closer to the Slip Lane / Park Lane junction would be closed up. A standard vehicular access of 4.1 metres in width will serve the new dwelling and the hardstanding area will enable vehicles to turn around within the site and exit onto Slip Lane in forward gear. Three on site car parking spaces will be sufficient to meet the parking needs for this dwelling and will comply with current parking standards.

4.2.33 The applicant has commissioned a traffic survey count which records traffic speeds at this part of Slip Lane as being well below 30 mph. The submitted plans demonstrate that the required visibility splays can be achieved either side of the proposed access.

4.2.34 The Highway Authority has assessed this proposal as being acceptable in highway terms commenting as follows:

*'Hertfordshire County Council as Highway Authority has considered that the proposal would not have an unreasonable impact on the safety and operation of the adjoining highways and does not wish to restrict the grant of permission subject to the recommended planning conditions and highway informative above.'*

#### 4.2.35 Summary on highway issues

The provision of one additional dwelling in this location would not significantly add to traffic levels and no objections have been raised by the Highway Authority.

#### 4.2.36 Sustainability

4.2.37 Paragraph 7 confirms the purpose of the planning system is to contribute to the achievement of sustainable development whilst paragraph 8 sets out the economic, social and environmental dimensions of sustainable development. In terms of the social dimension the development site is within a category 'B' village and not far from other buildings or people and therefore not isolated in terms of paragraph 79 of the NPPF. The proximity of the site to village facilities would allow for social interaction and help support village facilities as well as other facilities in nearby Knebworth and Codicote and therefore the development would provide some positive social benefit.

4.2.38 There would be some limited economic benefit associated with the construction of the dwelling and once occupied an on-going small contribution in terms of likely use of local facilities and services as well as providing a modest contribution towards local housing supply. Such economic benefits will have some weight in the planning balance.

4.2.39 In terms of the environmental dimension the NPPF requires that developments should be located and designed where practical to give priority to pedestrian and cycle movements and access to high quality public transport facilities. In this case a bus service is available in the village and a public footpath runs northwards from the site into the village and is continuous into Knebworth. Knebworth station is within a relatively short cycle ride and a few minutes by car. Paragraph 103 of the NPPF advises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas and therefore a higher proportion of journeys by car should be expected in rural areas. Nevertheless the proposal is unlikely to result in many additional car journeys and it is noted that the applicant is proposing an electric vehicle car charging point which may offset some environmental emissions through car usage.

#### 4.2.40 Summary on sustainability

It is considered that the proposed development would provide a suitable location for housing having particular regard to the relatively good access to services and facilities.

Moreover, the Category 'B' village status proposed for Old Knebworth in the Emerging Local Plan does infer that the location is appropriate for some limited growth.

#### 4.2.41 **Environmental issues**

4.2.42 The application site is garden land and unlikely to be contaminated. The Council's Environmental Health officer is satisfied with the submitted self-assessment form and only requires a land contamination condition as a precautionary measure in the event that any contamination is found during works.

4.2.43 The applicant has commissioned an ecological survey to assess habitats on the site and the potential for protected species to be present. None of the trees were considered suitable for bat roosts however with the retention of a large percentage of the existing trees, shrubs and hedges the survey concluded that there the site could continue to provide habitat for local wildlife. Biodiversity gain could be secured through bat and bird boxes and the report makes several recommendations in this regard. No objections are raised by Hertfordshire Ecology.

4.2.44 The site is within Flood Zone 1 where there is the lowest risk of flooding. The retention of a large a garden area ensures that surface water run-off can easily be managed through soakaways and permeable paving for example.

4.2.45 In terms of future proofing the development with regard to climate change the development will incorporate an Electric Vehicle charging point and the size of the plot can facilitate the inclusion of low and zero carbon technologies such as ground source heat pumps. The applicant proposes a 'fabric first' approach to construction of the dwelling with high levels of insulation and energy efficient measures to exceed current building regulations requirements.

#### 4.2.46 Summary on environmental issues

Overall it is considered that this relatively small scale development has the potential to meet the challenge of climate change and comply with the sustainable design criteria set out in ELP Policy D1.

#### 4.2.47 **Living conditions**

4.2.48 The proposed dwelling would provide parking and amenity space for the future occupiers that meets or exceeds current standards. Given the good separation distances between the new dwelling and the nearest adjacent dwellings it is considered that the proposed development would not have a detrimental effect on the living conditions of neighbouring occupiers.

#### 4.2.49 Summary on living conditions

The proposed development would result in acceptable living conditions for the prospective occupiers and would not have an adverse impact on neighbours amenity. The development would be in accordance with Policy 57 of the adopted plan and Policy D3 of the ELP.

#### 4.2.50 **Planning balance**

4.2.51 Paragraph 11 of the NPPF states that there should be a presumption in favour of sustainable development. It advises that unless there is a clear reason for refusing development in protected areas (such as the Green Belt, Conservations Areas and where designated heritage assets may be affected) then planning permission should be granted. In this case the impact on the protected areas / assets is acceptable in planning policy and heritage terms. The Council cannot demonstrate a five year supply of deliverable housing sites and therefore where there is no adverse impact on protected areas and the adverse impact of granting planning permission is outweighed by the benefits then the presumption is in favour of granting permission. This tilted balance weighs in favour of the proposal.

4.2.52 It has been demonstrated that there are economic, social and environmental benefits of the proposals. The development is of high quality design that has the potential to function well and add to the overall quality of the area. The impact on designated heritage assets would be neutral. There would be no harm to the openness of the Green Belt. The proposal would be consistent with the Council's settlement strategy under Emerging Local Plan Policy SP2. The proposal is acceptable in terms of highway safety and there would be no material harm to existing neighbours amenity. Cumulatively these positive aspects of the scheme also weigh in favour of the development.

4.2.53 There would be some loss of landscaping along the site frontage and some views of the proposed dwelling. Generally however the landscape sensitivities of the location are respected and with additional planting as proposed the landscape impact of the proposals can be mitigated to an acceptable degree.

#### 4.2.54 **Conclusion**

4.2.55 The proposed development would not be in conflict with Green Belt policy and would be in general compliance with the policies set out in the National Planning Policy Framework as a whole and also in accordance with the relevant policies in the adopted local plan and the Emerging local plan, in particular the settlement strategy. The adverse impacts of the proposal are limited and are outweighed by the benefits. In these circumstances it is concluded that the presumption lies in favour of sustainable development and that permission therefore should be granted subject to appropriate conditions.

## **Alternative Options**

None applicable

## **Pre-Commencement Conditions**

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

### **5.0 Legal Implications**

5.1 In making decisions on applications submitted under the Town and Country Planning legislation, the Council is required to have regard to the provisions of the development plan and to any other material considerations. The decision must be in accordance with the plan unless the material considerations indicate otherwise. Where the decision is to refuse or restrictive conditions are attached, the applicant has a right of appeal against the decision.

### **6.0 Recommendation**

6.1 That planning permission be **GRANTED** subject following 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. Notwithstanding the information submitted, full details of landscaping shall be submitted to and approved in writing by the local planning authority prior to works commencing to implement this permission. The landscaping details shall include:

- o Details of all hard landscape surfaces
- o Details of all new trees and shrubs including species, size and planting densities
- o Details of all trees and shrubs to be removed

The development shall be carried out in accordance with the approved details.

Reason: To safeguard the appearance of the completed scheme in the interests of visual amenity and the landscape character of the area.

4. 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.

5. None of the trees to be retained on the application site shall be felled, lopped, topped, uprooted, removed or otherwise destroyed or killed without the prior written agreement of the Local Planning Authority.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality.

6. Any tree felled, lopped, topped, uprooted, removed or otherwise destroyed or killed contrary to the provisions of the tree retention condition above shall be replaced during the same or next planting season with another tree of a size and species as agreed in writing with the Local Planning Authority, unless the Authority agrees in writing to dispense with this requirement.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality.

7. Prior to the first occupation of the development hereby permitted the main vehicular access shall be provided 4.1 metres wide and thereafter the access shall be retained at the positions shown on the approved drawing number PL-150 revision B. Arrangement shall be made for surface water drainage 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).

8. Prior to the first occupation of the development hereby permitted the disused access shall be closed and the verge shall be reinstated along the frontage of the site to the current specification of Hertfordshire County Council and to the local Planning Authority's satisfaction.

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

9. The gradient of the vehicular accesses shall not exceed 1:20 for the first 6.0 metres into the site as measured from the near channel edge of the adjacent carriageway.

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

10. Before the access is first brought into use vehicle to vehicle visibility splays of 2.4 metres x 31 metres to the south easterly direction and 2.4 metres x 19 metres to the north westerly direction shall be provided and permanently maintained. Within which there shall be no obstruction to visibility between 600 mm and 2.0 metres above the footway level. These measurements shall be taken from the intersection of the centre line of the permitted access with the edge of the carriageway of the highway respectively into the application site and from the intersection point along the edge of the carriageway.

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

11. Any suspected contamination encountered during the development of this site, shall be brought to the attention of the Local Planning Authority as soon as practically possible; in such a case, 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 this site.

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.

12. Prior to occupation, the proposed new dwelling 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.

13. 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 and methodology of site investigation and recording as suggested by the archaeological evaluation.
- 3 The programme for post investigation assessment
4. Provision to be made for analysis of the site investigation and recording
5. Provision to be made for publication and dissemination of the analysis and records of the site investigation

6. Provision to be made for archive deposition of the analysis and records of the site investigation

7. Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.

Reason: To ensure adequate protection and preservation of any assets of archaeological significance.

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

Reason: To ensure adequate protection and preservation of any assets of archaeological significance.

15. 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 and the provision made for analysis and publication where appropriate.

Reason: To ensure adequate protection and preservation of any assets of archaeological significance.

16. Prior to its construction full details of the proposed garden store shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity

17. The development hereby permitted shall be carried out in full accordance with the recommendations set out in the submitted Tree Survey by RGS Arboricultural consultants. The works shall include tree protection measures as set out in Appendix 3.

Reason: In the interests of visual amenity and to protect the landscape setting of the site.

18. The development hereby approved shall be carried out in full accordance with the recommendations and mitigation set out in the submitted Ecological Survey by P. Irving dated July 2020.

Reason: In the interests of nature conservation and biodiversity gain.

19. Prior to the commencement of the development hereby approved a Landscape and Ecological Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:

- o location of replacement planting
- o provisions to facility the free movement of hedgehogs;
- o boxes for nesting songbirds or swifts.

Reason: In the interests of nature conservation and biodiversity gain.

Proactive Statement:

Planning permission has been granted for this proposal. The Council acted proactively through early engagement with the applicant at the pre-application stage 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. EV CHARGING POINT SPECIFICATION INFORMATIVE:

Each 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 determination 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.



2. Ecology informative:

"Any significant tree/shrub works or removal should be undertaken outside the nesting bird season (March to August inclusive) to protect breeding birds, their nests, eggs and young. If this is not practicable, a search of the area should be made no more than two days in advance of vegetation clearance by a competent Ecologist and if active nests are found, works should stop until the birds have left the nest."

"To avoid killing or injuring of hedgehogs it is best practice for any longer, ruderal vegetation to be cleared by hand. To avoid creating refugia that may be utilised by hedgehogs, materials should be carefully stored on-site on raised pallets and away from the boundary habitats. Piles of materials that could act as refuges for wildlife should be removed as soon as possible. If left for any period of time, they should be checked for the presence of wildlife prior to moving.

"Any excavations left open overnight should be covered or have mammal ramps (reinforced plywood board >60cm wide set at an angle of no greater than 30 degrees to the base of the pit) to ensure that any animals that enter can safely escape. Any open pipework with an outside diameter of greater than 120mm must be covered at the end of each working day to prevent animals entering / becoming trapped."

3. Construction Informatives

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

















During the change of use phase no activities should take place outside the following hours: Monday to Friday 08:00-18:00hrs; Saturdays 08:00-13:00hrs and Sundays and Bank Holidays: no work at any time.

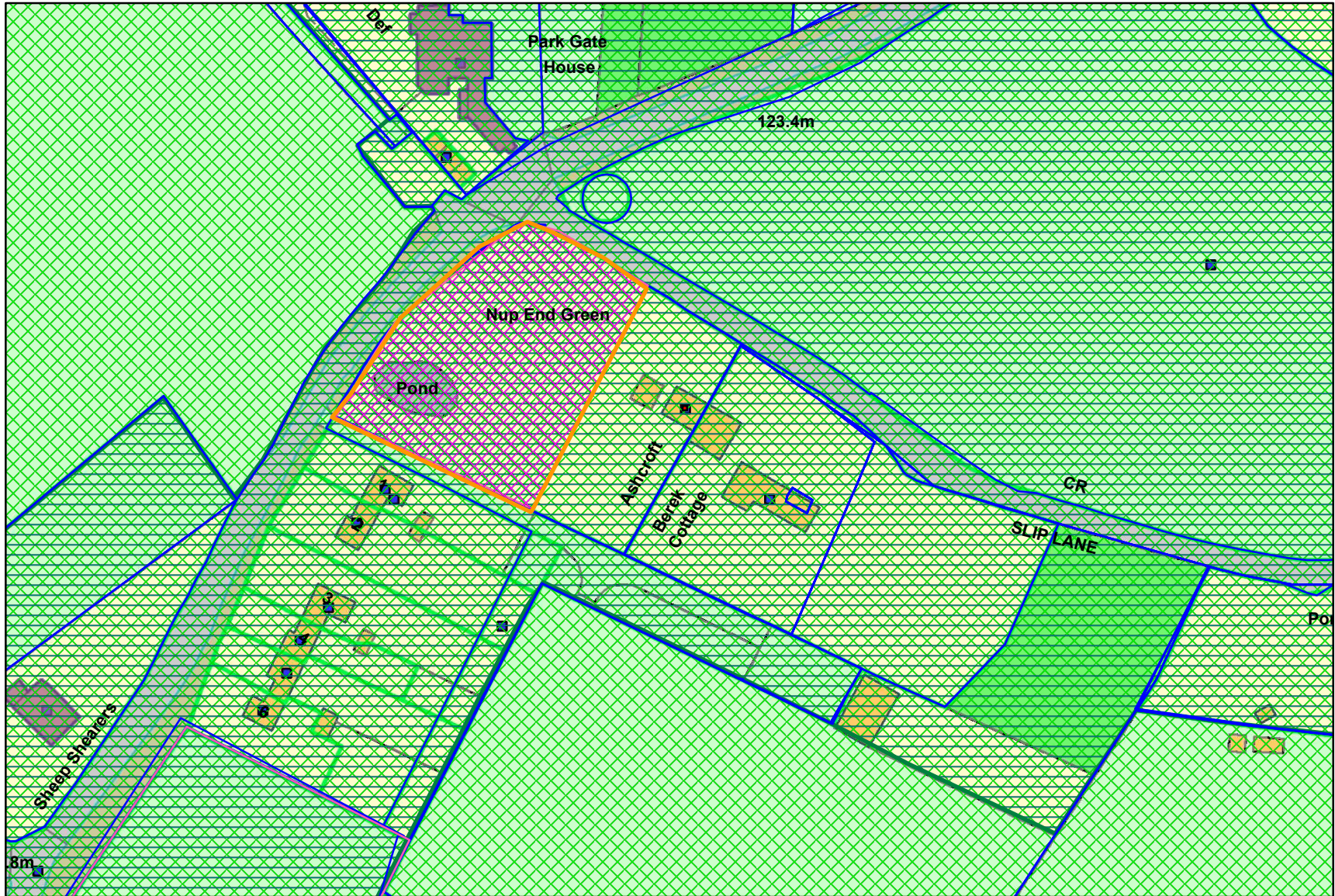
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## Application Validation Sheet

20/02474/FP Ashcroft, Slip Lane, Old Knebworth, Knebworth, Herts, SG3 6QG

-  **Acolaid Land Parcel**  
Property.shp
-  **Acolaid Address Point**  
ap.shp
-  **Planning Application (1999)**  
Prapps99.shp
-  **Area of Outstanding Natural Beauty**  
Pranob.shp
-  **Listed Buildings**  
Prlistld.shp
-  **Tree Preservation Order (Single)**  
ORACLE
-  **Tree Preservation Order (Group)**  
ORACLE
-  **Parish Boundary**  
Prparish.shp
-  **Conservation Area**  
Prcrea.shp
-  **District Local Plan Boundary**  
Prdlp2.shp
-  **Green Belt**  
Prgrnblt.shp
-  **Health & Safety Consultation Zone**  
Prjnzone.shp
-  **Landscape Conservation**  
Prlandca.shp
-  **Ward Boundary**  
Prwardcd.shp
-  **Noise Nuisance Indicators**  
Prnnis.shp
-  **Indicative Flood Plain**  
Prifpm.shp



Scale 1:1,250  
Date: 01/12/2020



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<b>ITEM NO:</b>	
<u>Location:</u>	<b>Land South Of Durham Way Royston Gateway Royston Hertfordshire SG8 5GX</b>
<u>Applicant:</u>	<b>Kiafield Properties Ltd</b>
<u>Proposal:</u>	<b>Erection of three Class E (former B1C, B2 and B8) units with associated car parking and ancillary works</b>
<u>Ref. No:</u>	20/01017/FP
<u>Officer:</u>	<b>Naomi Reynard</b>

**Date of expiry of statutory period :** 13.08.2020

### **Reason for referral to committee**

As the site area is greater than 1ha and the proposed floor space is greater than 500sqm, in accordance with the Council's scheme of delegation this application must be determined by the Planning Control Committee.

### **Relevant policies**

#### **1.1 North Hertfordshire District Local Plan No. 2 with Alterations (Saved Policies)**

- Policy 8 - Development in towns
- Policy 9 – Royston's Development Limits
- Policy 14 – Nature Conservation
- Policy 36 – Employment provision
- Policy 37 - Business Uses
- Policy 51 – Development Effects and Planning Gain
- Policy 55 – Car Parking Standards

#### **1.2 Emerging Local Plan 2011 – 2031**

##### **Section 2 – Strategic Policies**

- SP1: Sustainable development in North Hertfordshire
- SP3: Employment
- SP6: Sustainable Transport
- SP7: Infrastructure requirements and developer contributions
- SP9: Design and sustainability
- SP11: Natural resources and sustainability
- SP12: Green Infrastructure biodiversity landscape
- SP13: Historic Environment

### **Section 3 – Development Management Policies**

ETC1: Appropriate Uses in Employment Areas

T1: Transport Matters

T2: Parking

D1: Sustainable Design

D4: Air Quality

NE1: Landscape

NE7: Reducing Flood Risk

NE8: Sustainable Drainage Systems

NE11: Contaminated Land

NE12: Renewable and low carbon energy development

HE1: Designated Heritage Assets

HE4: Archaeology

#### **1.3 National Planning Policy Framework 2019**

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 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

#### **1.4 Supplementary Planning Documents**

Vehicle Parking Provision at New Developments

Design

Planning Obligations

#### **2.0 Relevant Site History**

- 2.1 14/01809/1 - Erection of industrial warehouse building for the purposes within Use Class B8 (Storage or Distribution) with offices and ancillary facilities, service yard and 60 car parking spaces; erection of foodstore together with associated car parking (200 spaces); provision of new road on junction of A505 and new link road to Orchard Road Industrial Estate (as amended by plans received 5.11.14 and 27.11.14) – Approved 25/02/15. Not implemented.

Nearby sites

- 2.2 19/00601/FP - Earthworks comprising ground raising/levelling using fill from the construction activity – Approved 26/04/19.
- 2.3 18/02892/FP - Erection of B1c, B2 and B8 units with ancillary Trade counter and associated car parking, service yards and access road. Approved 15.08.19
- 2.4 18/02819/FP - Proposed Coffee Shop unit (mixed A1/A3 use) with drive through facility, external seating area and associated car parking, access road, signage and landscaping – Approved 17/12/18.

- 2.5 18/01312/FP - Earthworks comprising ground raising/levelling using fill material from the construction activity – Approved 19/07/18.
- 2.6 17/04357/FP - Erection of a new industrial building within Class B1c with offices and associated facilities, access, service yard, car and cycle parking and landscaping. (Amended plans received 05/02/18 and 06/06/18). Approved 25.06.18
- 2.7 17/01024/1 - Erection of 2 retail foodstores with ancillary cafe; provision of 170 associated car parking spaces; plant and service yards; provision of new road on junction of A505 and new link road to Orchard Road Industrial Estate; landscaping and all other associated works (as amended by plans received on 16 May 2017) – Approved 17/11/17.
- 2.8 10/02628/1 - Erection of industrial building for the purposes within Use Class B2 (general industrial) with warehousing, offices and ancillary facilities, provision of a service yard, 48 car parking spaces, cycle shed, formation of vehicular access from York Way, access road and landscaping (renewal of planning permission 04/01997/1 granted 16.12.2005) – Approved 01/03/11.
- 2.9 04/01997/1 - Erection of industrial building for purposes within Use Class B2 (general industrial) with warehousing, offices and ancillary facilities, provision of a service yard, 48 car parking spaces, cycle shed, formation of vehicular access from York Way, access road and landscaping (as amended by drawing No. 22 revision A received on the 7th February 2005) – Approved 16/12/05.

### 3.0 **Representations**

- 3.1 **Royston Town Council – “Members of Royston Town Council raised NO OBJECTION to this application. However, the Council would like to bring the following points to your attention for the developers to consider ’**

***’ More cycle parking is needed on site. It is good to see the provision of cycle parking and a separate car park access for this, but a good proportion of the workers/customers could come from within Royston and we do not believe that what is planned to be provided is sufficient.***

***’ The nearby surrounding developments have considerably more green space in their car parks and surrounds than this one does. It appears that only a small grassy strip is included in these plans and it would be good if some smallish trees could be added to the site.”***

- 3.2 **Health and Safety Executive – “HSE is a statutory consultee for certain developments within the consultation distance of major hazard sites and major accident hazard pipelines, and has provided planning authorities with access to the HSE Planning Advice Web App - <https://pa.hsl.gov.uk/> - for them to use to consult HSE and obtain our advice.**

***As the proposed development lies within the consultation distance of a major hazard site, I should be grateful if you would arrange for the HSE Planning Advice Web App to be used to consult HSE for advice on this application, and on all future proposals for developments within the consultation distance of a major hazard site or pipeline.”***

The HSE Planning Advice Web App was used and received the following advice:

***“HSE's Advice: Do Not Advise Against, consequently, HSE does not advise, on safety grounds, against the granting of planning permission in this case.”***

- 3.3 **Local Lead Flood Authority** – Recommended refusal initially, but following submission of further information recommend conditions requiring that the development is carried out in accordance with the submitted Flood Risk Assessment and Drainage Strategy, the final design of the drainage scheme and submission of a management and maintenance plan for the SuDS features.
- 3.4 **Environmental Protection (Contaminated Land)** – Raised no objection and recommended the land contamination set out below.
- 3.5 **Environmental Protection (Air quality)** – Recommended an EV Recharging Infrastructure condition and a travel plan/statement condition.
- 3.6 **Environmental Health (Noise and other nuisances)** – No objections
- 3.7 **Environment Agency** – No objection subject to a planning condition relating to previously unidentified contamination. Following receipt of further information, they confirmed that the remediation strategy and surface water disposal conditions that they previously recommended are no longer required.
- 3.8 **Anglian Water** – Recommended informatives regarding assets affected and used water network.
- 3.9 **Herts Ecology** – Recommended a condition to protect breeding birds, their nests and their young and a condition to secure a Landscape and Ecological Management Plan.
- 3.10 **Urban Design and Landscape** – Provided detailed comments discussed below.
- 3.11 **Herts County Council Highways** – Does not wish to restrict the grant of planning permission subject to the conditions and informatives set out below
- 3.12 **Historic Environment Advisor, Hertfordshire County Council** – Recommended conditions. Provided a further response in relation to additional information submitted and confirmed that they continue to recommend the same archaeological conditions. Following discussion updated the wording of the pre-commencement condition.
- 3.13 **Planning Policy** – Provided comments and concluded that “Whilst the proposed scheme is not compliant with policies in the saved District Plan No. 2, it is compliant with the NPPF and the emerging Local Plan.”
- 3.14 **Transport Officer** – Provided comments on the application; but following the response from the applicant has raised no objections.
- 3.15 **Historic England** – ***“On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.”***



3.16 **Waste and Recycling Team** – Recommended condition in relation to on-site storage facilities.

3.17 **South Cambridgeshire District Council** –

*“From the documentation provided it appears that the application site falls entirely within the administrative boundary of North Hertfordshire District Council, and is not immediately adjoining the boundary of South Cambridgeshire District Council (SCDC).*

*Notwithstanding this, it is situated fairly close to this boundary and these units may have some impact on the character and appearance of the local area.*

*Policy E/11 of the South Cambridgeshire Local Plan 2018 states that large scale warehousing and distribution centres (B8) will not be permitted in the district. These types of ‘Class B’ units generate relatively low numbers of jobs and where large scale proposals serve national or regional functions, these should not be supported. However, where these support other employment uses or meet local needs, these types of industry could be supported.*

*Policy E/12 of the Local Plan support new employment development (B1, B2 and B8 uses), provided that the scale of development would be in keeping with category and scale of the village, and be in the character and scale with the location.*

*It is considered that insufficient information has been submitted by the applicant to make a full assessment of the scale of the units proposed and to which of the units B1c, B2 and B8 refers. No elevations have been submitted in order to make an assessment regarding the impact the proposal would have on the character and appearance of the area, particularly given its edge of town location.*

*Notwithstanding this, the footprints of the buildings proposed appear to be compatible with those in the immediate area and the parking appears to be adequate subject to additional information regarding the unit type for each proposed building in accordance with Policy TI/3 of the South Cambridgeshire Local Plan 2018*

*It is noted that the area has a number of established light industrial units and it appears that these would replace some already within the site. It is not known what employment use these current units have and what impact the proposed development would have on number of people employed within the site. In addition, there is a lack of information to demonstrate the use and whether the B8 use would serve regional or national function, with reference to Policy E/11 and E/12 of the South Cambridgeshire Local Plan 2018.*

*Providing that this information is provided by the applicant, South Cambridgeshire District Council does not have any objection to the proposal.”*

### 3.18 Neighbours/site publicity

Royston Labels, 17-20 Greenfield – Representation received from the Managing Director of Royston Labels raising the following concerns:

- Royston Labels moved to this site just over two years ago, the building was refurbished costing them millions of pounds and planning granted with windows to create the right amount of light into areas of the building that needed to be utilised for the business to operate successfully.
- One of the proposed buildings in particular would sit extremely close to their building and would have a direct effect on their building as the height would be much greater than theirs and the closeness of this building to theirs will block day light into areas of their building that rely on this light for the work that they do with colour.
- They believe that the proposals would have a direct detrimental impact upon their business & the ability of their staff to work in a way which is critical for their business. They work with printed packaging & colour where daylight is critical.
- They understand the need to develop the land but believe that this could be done more sympathetically to ensure that no business is impacted in any negative way, after all they are already located here and planning permission was granted allowing windows that provide daylight to the areas where it is needed.
- This business has traded in Royston for 35 years bringing revenue & employment to the local town.

## 4.0 Planning Considerations

### 4.1 Site and Surroundings

- 4.1.1 The site is approximately 1.37 hectares. The site comprises unoccupied land and I understand that it has recently been used as overflow construction space for the neighbouring developments. The site is bounded to the south east by a row of industrial buildings in Greenfield. There is a vacant plot immediately to the south west of the site. Further to the south west of the site is the recently constructed Safeline building. The site is bounded by roads to the north west and north east. On the other side of the road there is a vacant plot to the north east and to the north west there is the recent Aldi and M&S development and a vacant plot. Adjacent to the north east corner of the site is a roundabout which provides access to the car park for Aldi and M&S and provides a link to the access roads off the A505. The road to the north east of the site connects to York Way and the existing industrial area.
- 4.1.2 The site is on the edge of an industrial/employment area where nearby uses are a mix of B2, B1, B8 and sui generis.
- 4.1.3 The site is designated as Rural Area Beyond the Green Belt in the adopted Local Plan. The site is allocated as RY9 in the emerging Local Plan.

## 4.2 Proposal

4.2.1 The Planning Statement submitted with the application sets out the proposed development as follows:

***“Full Permission is sought for the following Proposed Development:***

- ***3 industrial units with flexible B1(c), B2 and B8 uses***
- ***Service yards***
- ***Provision of new access spur off new link road and closure of 2 existing spurs;***
- ***130 car spaces and 44 cycle spaces;***
- ***Foul and surface water drainage strategy;***

***As the application is made on a speculative basis, the final distribution of floorspace across the proposed use classes is unknown and a flexible consent is sought. The buildings offer 6,283sqm GIA floorspace in total ranging from:***

***Unit 1 – 3,089sqm***

***Unit 2 – 2,127sqm***

***Unit 3 – 1067sqm.”***

4.2.2 The original description of the application was “Erection of B1c, B2 or B8 units with associated car parking and ancillary works.” In September 2020 the Use Classes Order was amended and one of the changes was that classes B1a, B1b and B1c and D1 have been replaced by Use Class E. On this basis the agent for the applicant has confirmed that they continue to seek a flexible consent for Class E (former Class B1a, B2 and B8 uses).

4.2.3 The proposal is to erect three units of different sizes, with associated car parking and service access. The buildings would be set at right angles to Durham Way with the three separate parking areas and service vehicle access located between the buildings. All three units would extend to the full width of the site. Unit 1 would be approximately 40m x 69m x 12.5m to eaves and 13.5m to ridge with a footprint of 2736m<sup>2</sup>; Unit 2 would be approximately 31m x 60m x 12.5m to eaves and 13.5m to ridge with a footprint of 1858m<sup>2</sup>; and Unit 3 would be approximately 23m x 39m x 10m to eaves and 11m to ridge with a footprint of 890m<sup>2</sup>. They would have shallow pitched roofs. Units 1 and 2 would have windows in the west elevation facing Durham Way and vehicle roller shutter doors and entrance doors in the north elevation and personnel doors in the north, south and east elevations. Unit 3 would have entrance doors and glazing in the west and north corner elevation and a vehicle roller shutter door in the south elevation and personnel doors in the south and east elevations. The proposal is to have silver metal horizontal deep round profile panels to warehouse, deep eaves with shadow effect cladding band, blue smooth textured metal cladding panels to offices and composite metal roof panel.

4.2.4 The following supporting documents were submitted as part of the application:

- Planning Statement
- Design and Access Statement
- Flood Risk Assessment and Drainage Statement and Drainage Strategy
- Stage 2 Contamination Report – Geotechnical and Contaminated Land Risk Assessment
- Geo-environmental Preliminary Risk Assessment

### 4.3 Key Issues

4.3.1 The key issues will be considered under the following headings:

- Use classes
- Recent history of the site and immediate area
- Principle of development
- Consideration of RY9 criteria in the emerging Local Plan
- Economic impact
- Visual impact on the locality
- Landscaping
- Impact on neighbouring properties
- Highways, transport, parking and servicing
- Environmental Protection matters
- Health and Safety Executive
- Flooding/drainage
- Ecology
- Archaeology
- EIA Regulations
- Planning obligations
- Sustainable development
- Planning balance

#### Use Classes

4.3.2 As set out above the description of the application was “Erection of B1c, B2 or B8 units with associated car parking and ancillary works.” In September 2020 the Use Classes Order was amended and one of the changes was that classes B1a, B1b and B1c and D1 have been replaced by Use Class E (Commercial, business and service issues). On this basis the agent for the applicant has confirmed that they continue to seek a flexible consent for Class E (former Class B1a, B2 and B8 uses).

4.3.3 This application has been considered on the basis the proposed use would be seek a flexible consent for Class E (former Class B1a, B2 and B8 uses). However, Class E now also covers the former Class D1 - Clinics, health centres, creches, day nurseries and day centres etc. Changes of use within the same class are not development and therefore do not require planning permission. In my view these former Class D1 uses would not necessarily be appropriate in this location as they would have different requirements for parking, may conflict with existing neighbouring uses and there may be issues with regards to impact of existing nearby uses on future occupants/service users. Indeed; the HSE consultation was carried out on the basis that the use was for workplaces not uses such as those covered by the former Class D1. The RY9 allocation in the Emerging Local Plan is specifically an employment allocation. Emerging Local Plan ETC1: Appropriate uses in Employment Areas states that: ***“Within the allocated Employment Areas, as shown on the Proposals Map, planning permission will be granted where...elsewhere within Employment Areas, development is for Use Classes B1, B2 or B8”***. As such I have recommended the following condition be imposed:

***“Notwithstanding the provisions of the Town and Country Planning (Use Classes) (Amendment) (England) Order 2015 (as amended), the approved units shall only be used for uses falling under former Use Classes B1c, B2 and B8 and shall not be changed to another use, including any others within Use Class E (including those uses that fall within the former D1 Class), without first obtaining a specific planning permission from the Local Planning Authority.***

***Reason: Given the breadth of uses encompassed within the E Class of the Use Classes Order (as it also includes uses falling within the former D1 Use Class) the Local Planning Authority seeks to retain control over any change of use that would normally be permitted, in the interests of the character and amenities of the area.”***

#### **Recent history of the site and immediate area**

- 4.3.4 As can be see above there has been recent planning history on this and surrounding sites, that are of relevance when considering this application. The following applications are all on land that is currently outside Royston’s Development Limits and therefore designated as Rural Area Beyond the Green Belt in the North Hertfordshire District Local Plan No. 2 with Alterations 1996 (Saved Local Plan - SLP), but on land that is allocated as RY9 in the North Hertfordshire District Council Local Plan (2011-2031) Proposed Submission (Emerging Local Plan). As such in my view they are material considerations in the determination of this application.
- 4.3.5 Planning permission (ref. 14/01809/1) was granted for in 2015 for the erection of industrial warehouse building for the purposes within Use Class B8 (Storage or Distribution) with offices and ancillary facilities, service yard and 60 car parking spaces; erection of foodstore together with associated car parking (200 spaces); provision of new road on junction of A505 and new link road to Orchard Road Industrial Estate. The industrial warehouse with associated parking was proposed on the southern part of the current application site and the vacant plot to the south. This permission was never implemented and the planning permission is now extant, however it is a material consideration in the determination of this application in my view. However, there was a further application (ref. 17/01024/1) on the site to the north west of the current application site for the erection of 2 retail foodstores with ancillary cafe; provision of 170 associated car parking spaces; plant and service yards; provision of new road on junction of A505 and new link road to Orchard Road Industrial Estate; landscaping and all other associated works was approved in 2017. This scheme has been implemented and Aldi and M&S occupy the buildings.
- 4.3.6 In 2018 planning permission (ref. 17/04357/FP) was granted for erection of a new industrial building within Class B1c with offices and associated facilities, access, service yard, car and cycle parking and landscaping on a plot of land to the south of the site. This is the Safeline building that has been constructed recently.
- 4.3.7 In 2018 planning permission (ref. 18/02819/FP) was granted for a proposed Coffee Shop unit (mixed A1/A3 use) with drive through facility, external seating area and associated car parking, access road, signage and landscaping. This is the Costa Coffee shop that has been built to the north of the application site.

- 4.3.8 In 2019 planning permission (ref. 18/02892/FP) was granted for erection of B1c, B2 and B8 units with ancillary Trade counter and associated car parking, service yards and access road. This is on the site to the north east of Costa Coffee and has not yet been constructed.
- 4.3.9 It is also worth noting applications ref. 04/01997/1 and ref. 10/02628/1 referred to above. These relate to a site to the north of the application site. The 2004 application was granted by the Royston Area Committee contrary to the recommendation of the then Area Planning Officer. Planning permission was granted for the same development in 2010 by the Planning Committee. This permission was never implemented.

#### **Principle of development**

- 4.3.10 The Planning Policy Team were consulted on the application and made the following comments:

***“1. The proposed site is situated south of the A505 and Durham Way and to the north west of the Orchard Way industrial area and industrial units on Greenfield. The development proposed is for three B1C, B2 and B8 units, providing new business units in Royston.***

***2. Starting with the NPPF, paragraph 80 states that significant weight should be placed on the need to support economic growth and productivity, taking into account local business needs and wider opportunities for development.***

***3. In the current development plan, District Plan No2, the area is outside the Royston development limit, Saved Policy No. 9 – Royston Development Limits. The policy states that only proposals which are acceptable in the rural area beyond the green belt would be acceptable. The development described in the application would not be acceptable in these policy terms.***

***4. However, the policy approach to development in this location in Royston has changed significantly in the emerging Local Plan.***

***5. The proposed settlement boundary for Royston has been drawn along the A505 and the site in question is proposed to be allocated in Policy RY9 as an employment site. As such, the proposal would be acceptable in the emerging policy framework.***

***6. Paragraph 48 of the NPPF provides advice on weight which might be given to the emerging policy having regard to:***

- i) The stage the preparation the plan has reached***
- ii) The extent of unresolved objections; and***
- iii) The extent to which the proposed new policies are consistent with the NPPF.***

**7. The emerging Local Plan is at a well advanced stage in preparation and consultation on proposed modifications has taken place. There are outstanding objections to the allocation in the Local Plan and the emerging policy could be subject to further modification by the Inspector, which might affect the criteria to be considered in a full application.**

**Conclusion**

**8. The applicant has applied for the erection of three B1C, B2 and B8 units and associated parking. Whilst the proposed scheme is not compliant with policies in the saved District Plan No. 2, it is compliant with the NPPF and the emerging Local Plan.”**

4.3.11 This site is outside of Royston’s development limits in the Saved Local Plan and therefore falls within the remit of Policy 6: Rural Area beyond the Green Belt. However, the site falls within Employment allocation RY9 in the Emerging Local Plan.

4.3.12 The adopted 1996 Local Plan and accompanying Proposals Map designates the site as being within the Rural Area Beyond the Green Belt, where under Policy 6 it seeks to maintain the existing countryside and its character. In my view the proposal would fail to comply with Policy 6.

4.3.13 The adopted Local Plan is however relatively old, with local and national planning policies having changed and evolved since its 1996 adoption. The Emerging Local Plan (ELP) is now at an advanced stage towards adoption having gone through a public examination process, and has had Modifications published (November 2018) which underwent public consultation from January to April 2019. At the Inspector’s request further hearing sessions were scheduled for March 2020, but these were postponed due to the situation with COVID-19 and are taking place at the time of writing this report in November and December 2020. The employment allocation RY9 was not an issue to be discussed at these hearing sessions.

4.3.14 The ELP as had been put forward for examination (the October 2016 Submissions version) allocated an area including the application site as RY9 for employment. This had been carried forwards in the Modifications and is now its own policy. In light of the examination Inspector’s letters of 9th July 2019 and 9th August 2019 and the Inspector’s Schedule of Further Matters, Issues and Questions for further hearing sessions, the ELP and its Modifications can therefore be given significant to moderate weight with regards to policy considerations relevant to the application site, in my view.

4.3.15 National planning policy has changed with the publication of the NPPF, updated in 2018. Paragraph 11 of the NPPF states that with decision-making this means:

**“c) approving development proposals that accord with an up-to-date development plan without delay; or**

**d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:**

***ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole.”***

- 4.3.16 The NPPF sets a test as to whether a proposed development is sustainable development with regard to its economic, social and environmental impacts and that there is a presumption in favour of sustainable development. Policy 6 of the adopted Local Plan is only compliant with NPPF in respect of the environmental dimension. Accordingly, the fact that the site is currently outside of the town boundary is not of itself determinative and the consideration of this application must look beyond the notional policy boundary of the town and balance the positive aspects of the proposal with any other harm which may be identified. In these circumstances the Framework dictates that there must be significant and demonstrable harm occasioned by the proposal in terms of the economic, environmental and social dimensions of sustainability, to warrant refusal.
- 4.3.17 The site is within allocated site RY9 in the ELP, which is designated for employment purposes and therefore development. As the ELP has reached the Modifications stage and RY9 is its own Policy, this is given significant to moderate weight. The 2013 Employment Land Review also identifies the site as a suitable location for future employment development building on the success and profile of the existing, successful Orchard Road / York Way area.
- 4.3.18 Other material considerations are previous planning permissions granted on land near the application site, which have together approved development of part of RY9 and some of which have been implemented (see above).
- 4.3.19 The previously undeveloped area of land RY9 is now transitioning towards being fully developed for employment purposes with internal access roads and roundabouts having been completed, and land re-grading and new food stores having been completed. Given the weight to be attached to the ELP, previous planning permissions and as the proposal would provide employment use within RY9, the proposed development of the site for Class E (former B1C, B2 and B8 units) is considered acceptable in principle.

#### **Consideration of RY9 criteria in the emerging Local Plan**

- 4.3.20 The site is within the RY9 employment allocation in the Emerging Local Plan and there are five site specific criteria:
- ***“Site is within Health and Safety Executive (HSE) Consultation Zone;***
  - ***Site should deliver a new access to the Orchard Road employment area from the A505;***
  - ***Address existing surface water flood risk issues, including any run-off, through SuDS or other appropriate solution;***
  - ***Sensitive design / layout considering views to and from the Scheduled Ancient Monuments located on Therfield Heath;***
  - ***Compensatory or offsetting measures for loss of existing grassland habitat.”***



- 4.3.21 With regards to the second point the application for the food store buildings (17/01024/1) covered the cost of the new access road off the A505. The Highways Authority were consulted on this application and have not advised that any upgrades are required to this access as a result of the proposed development of this site.
- 4.3.22 The other criteria have all been addressed as discussed below by the responses received from the Health and Safety Executive, Lead Local Flood Authority Environment Agency, Historic England and Hertfordshire Ecology.

#### **Economic impact**

- 4.3.23 The proposed units are speculative, however in the Planning Statement the following is stated with regards to employment opportunities.

***“Overall, there is a potential opportunity for up to 115 Full Time Equivalent jobs if all the floorspace take up for these 3 units was solely for B1c light industrial occupier ranging through to 95 FTE jobs based on a B8 multiplier. There is a good level of job opportunities across these plots in any of the use classes being sought through this application.”***

- 4.3.24 The proposal would also have positive impact in terms proposed employees using local shops and services and there would be a small increase in the need for support services. The proposal would have clear economic benefits.

#### **Layout and design and visual impact on the locality**

- 4.3.25 The proposal would result in the whole site being developed with buildings and hardstanding, which would contrast with its previously undeveloped state and character.
- 4.3.26 The proposal would completely change the character of the site. However, this is acceptable given the site is included within RY9 which is designated for new employment development. RY9 does not set detailed criteria concerning site coverage, density, height, design etc. Almost the whole site would be developed, however this would be comparable to other individual sites within the adjacent existing employment area and would also maximise the potential of the site for new employment, and is considered acceptable. There are no objections to the layout of the site with three buildings with two parking and servicing areas in between.
- 4.3.27 The site is visible from the A505 Royston bypass and is also likely to be visible from Therfield Heath, the SSSI to the south west of Royston Gateway.

4.3.28 The Landscape and Urban Design Officer made detailed comments on the application. She reached the following conclusion on the application as originally submitted:

***“I have several concerns about this application partly due to the limited information on some issues.***

***i) There is no information on the impact of the proposal on longer distance views from Therfield Heath and from views to the north and west of the site.***

***ii) There is a lack of information on the relationship between these units and the surrounding development in terms of scale and bulk.***

***iii) There is no detailed information on boundary treatments, hard surfacing and soft landscaping. Will the site be open along the Dunham Way frontage? The proposal appears to develop the full extent of the site without providing any landscape or ecological benefits.”***

4.3.29 The Landscape and Urban Design Officer reached the following conclusion on the further information submitted in July 2020:

***“As well as lack of space for planting around the perimeter of the site there does not appear to be any consideration of planting within the site. The three buildings and the hard surfacing for access and parking take up most of the site area. I would expect to see planting within the site for screening, shading and biodiversity benefits.”***

4.3.30 I shared her concerns. My main concern with regards to the design of the buildings was the height of the proposed buildings and I contacted the agent for the applicant and asked them to consider reducing the height and bulk of the buildings if possible. I also advised that in my view the proposed buildings would be more favourably considered if they had graded panelling on the walls and roofs to make the buildings appear more recessive. It was acknowledged that graded panelling tends to work better on buildings that have a flat roof; therefore, it was suggested that the design be amended so that the buildings have a flat roof or included grading on the roofs. Whilst it is disappointing that further information has not been submitted to demonstrate the impact of the proposal on the longer distant views and on the relationship between these units and the surrounding development in terms of scale in bulk, in my view sufficient information has been submitted to assess the application. The comments from South Cambridgeshire District Council are also noted. However, the application included site sections which show the proposed buildings in relation to the surrounding buildings.

4.3.31 The agent provided a detailed response with regards to the building design which is copied below:

***“The proposed units are for modern industrial and/or non-strategic warehousing, in conformity with the allocation Policy RY9 in the North Herts replacement local plan (as proposed to be modified). Their function largely dictates the overall design and scale. Any reduction in height would be sub-standard for units within the medium-scale range (10- 50,000 sqft) and less attractive to occupiers. There is demand for this type of space (as advised by Bidwells Commercial Team) given the lack of available space locally.***

***The allocation of the site (RY9) within the North Herts Local Plan review is supported by a sustainability assessment and employment paper that concludes the site is appropriate for commercial development within the B classes. The accompanying economic evidence identified the decline of industrial space within the district and the potential that this site can deliver industrial and B8 land to support the success of the York Way industrial area.***

***Specifically, the North Hertfordshire Employment Land Review acknowledges the lack of sites for 1,850sqm units and above, identifying the opportunity for the land north of York Way to deliver new stock to the market.***

***The request to replace the pitched roof with a flat roof in the design has not been possible to accommodate having regard to potential occupier demand. Maintaining the roof slope in its current form allows for the proposed rooflights and provides an opportunity for solar panels.***

***The request for graded panelling to the elevations is noted however we do not consider that to be an appropriate response in this location and for this scale of buildings. The suggested graded panels are typically used on larger buildings with bigger footplates and higher eaves and work better with parapet eaves details. The proposed silver profiled cladding with a dark grey for the top 1m to create a shadow gap fits in with the character of other units on the business park and wider York Way estate and is an effective colour within longer distance views (as demonstrated by the newly constructed Safeline building to the western edge of Durham Way). Whilst the roofs have shallow pitches, they will be finished in the lighter shade for consistency.***

***The established industrial estate along York Way/Orchard Road has a variety of different building forms and scales, predominantly larger than the proposed scheme. The proposal intends to offer good quality buildings to the local market. The relevant draft policy seeks B class uses and the proposed building form is suitable and entirely appropriate in this location.***

***The site does not lie within any nationally designated area for reasons of its landscape character or quality, such as National Park or Area of Outstanding Natural Beauty. However the northern part of Royston, comprising the established industrial estate and the allocation RY9 - which includes the site - is visible from some advantage points within Therfield Heath, a local nature reserve and a SSSI site, within its long range views to the north across the A505 towards Cambridgeshire.***

***The need to create a relatively uniform height of development across Royston Gateway Business Park by reference to other buildings is not justified or evidenced by other planning permissions on the site. Previous (larger) schemes within the wider allocation and on part of the application site have been the subject of detailed Landscape and Visual Assessments and been considered acceptable (up to 18.8m high) which concluded that the new employment area should read in the context as an extension of the existing employment area. For example, the unimplemented building that has planning permission for B8 use on part of the application site and on the adjacent land to the west (14/01809/1 granted in February 2015 “The 2015 Permission”) was considered appropriate for its site and context. The approved scheme comprised a single 6,500sqm unit of flat roof design up to 18.8m high. It was concluded by the Council that there was no adverse impact arising in landscape assessment terms relative to that site (which incorporates the area proposed for unit 1) that should lead to a different conclusion being reached for this application.***

***The existing trees and vegetation continue to restrict views from the Gallops, The Hopscotch and the eastern visitor’s car park of the heath. Where glimpsed views are possible, such as at the higher ground at the top of Therfield Road, these views include the site in the context of the whole commercial/industrial area and specifically the background of the existing buildings and tall structures within York Way/Orchard Road.***

***For the majority part, there are no or limited glimpsed views towards the allocation and this site. The Council has accepted a level of change through the planned extension of the RY9 employment allocation. As mentioned above, the area of this site that contains the larger unit 1 has been assessed and it was accepted that a taller/bigger building could be accommodated within the long-distance views to/from the heath. It must follow that this proposal for 3 smaller buildings can equally be accommodated without overall harm to the wider landscape character.”***

4.3.32 It is disappointing that the height and bulk of the proposed buildings has not been reduced and it is acknowledged that they would be large buildings that are taller than surrounding buildings. However, on balance I consider that the overall size, siting and design of the buildings would be acceptable and there would not be any sustainable reasons to withhold planning permission. Notwithstanding this a condition is recommended requiring samples/details of external material to be submitted approved, so the colour and possible grading of the panelling can be discussed at the discharge of condition stage.

4.3.33 One of the RY9 site specific criteria is:

***“Sensitive design / layout considering views to and from the Scheduled Ancient Monuments located on Therfield Heath;”***

4.3.34 Historic England were consulted on the application, however commented as follows:

***“On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.”***

4.3.35 The Council’s Landscape and Urban Design Officer has raised concern that there is no information on the impact of the proposal on longer distance views from Therfield Heath and from views to the north and west of the site. This information was requested, but has not been submitted, which is disappointing. However, in my view the proposed development would read against the existing industrial buildings and would be acceptable in its context, therefore this would not be a sustainable reason to withhold planning permission.

### **Landscaping**

4.3.36 As set out above, the Landscape and Urban Design Officer provided detailed comments with regard to the proposed landscaping. In response revised site layout drawings were submitted which showed additional information on the proposed landscaped areas and a detailed planting scheme was submitted. The Landscape and Urban Designer has viewed the amended plans and raised some further queries. It has been agreed that the maintenance schedule/strategy for the planting can be conditioned. The Landscape and Urban Design Officer would have liked to have seen planting within the car parking areas to provide shade and screening, but the agent has said that this is not desired or practical for the small areas of the car parking so they have opted to plant/screen the edged and endstops. The Landscape and Urban Design Officer has said that this is accepted, although the best outcome would have been tree planting within the parking areas. The agent has clarified that no fencing is proposed along the road frontage and that the grass verges outside the site boundary are public highways so are HCC’s responsibility.

4.3.37 Royston Town Council requested some smallish trees to be included within the development. Several trees are now proposed and shown on the revised plans both along the Durham Way frontage and within the parking areas.

4.3.38 As such I have recommended a condition requiring a detailed landscaping scheme to be submitted and approved in writing by the Local Planning Authority and a standard landscaping completion condition.

### **Impact on neighbouring properties**

4.3.39 The application site is nearby an industrial/employment area and supermarket; and is not close to any dwellings.

4.3.40 Following receipt of the representation from Royston Labels, the business occupying the neighbouring property, I contacted the agent for the application. I asked them to confirm that the proposed development would not adversely impact the light levels to these windows in the north west elevation of the adjacent building. I advised that they may need to amend the scheme to address this issue or demonstrate that they have taken this into account in the design of the scheme. I also drew to their attention that similar concerns were raised when the previous application (ref. 14/01809/1) was being considered on the site. At the time there were only three windows in the elevation facing the application site, but planning permission had been approved for some 11 windows in the northern flank elevation for the existing units. The previous scheme on the site was amended to reduce the impact on the neighbouring property following discussions between the applicant and the neighbouring business.

4.3.41 The agent for the applicant on the current application responded to this issue as follows:

***“This building currently has 6 windows along its rear elevation, 1 of which will overlook the southern corner of unit 1. An additional plan prepared by F&C – drawing 113\_423.4-sk07 rev P02 is attached to this letter which demonstrates that this window will not be unacceptable blocked. The corresponding internal layouts for the NMA application that approved this window (17/02725/1NMA) indicates this provides a secondary light source for a manager’s desk (Fig 5 below). We observe that the principle light source remains the rooflights.***

***We also note that the original permission for works to 17-20 Greenfield in 2014 approved 8 new windows in addition to the 3 that existed at the time of application (Fig 1 below).***

***Subsequently (and post the 2015 Permission for the large warehouse on this site -14/01809/1) an NMA was granted for 17-20 Greenfield to alter the elevation and effectively only retain the original 3 windows (figure 2 below). At the time of that permission, the existing 3 windows were deemed sufficient for the company’s operational activities, and the main light source has always been via the rooflights – extract reproduced below at fig 4. A further Revision was applied for and granted in November 2017 which introduced the window along the elevation closest to unit 1 (figure 3 below). This consent was implemented and was done so in the full knowledge that there was an extant planning permission for a larger warehouse to the west (Fig 6 below).***

***It was previously acknowledged that the existing buildings off Greenfield were commercial in nature and unlike residential development, there was less expectation that such units would need a protected elevation in terms of natural light or aspect (view). It is reasonable to conclude that any commercial processes which may need natural light can continue to be serviced adequately by the existing rooflights, as previously accepted and will not be prejudiced by proposed location of Unit 1 close to one of the rear windows.”***

4.3.42 These comments are noted. The additional plan submitted demonstrated that the proposed building (Unit 1) would appear to only extend beyond one of the windows and the approved plans indicate that this serves a studio manager's office which is also served by other light sources (rooflights). It is disappointing that the scheme has not been amended to address these concerns and I am sympathetic to the concerns raised by the neighbouring business. However, given that the adjacent building is commercial, rather than residential, and given that commercial process which may need natural light could be serviced by rooflights or take part in other parts of the existing Greenfield offices, in my view loss of light to the adjacent commercial property would not be a sustainable reason to withhold planning permission..

#### **Highways, transport, parking and servicing**

4.3.43 The Planning Statement submitted with the application sets out the following regarding the proposed vehicle and pedestrian access:

***“The new link road, known as Durham Way has been constructed in accordance with the design approved under planning permission 17/01024/1. This included a number of junction spurs to serve future phases of development. Following a detailed design review, it is necessary to adjust the position of existing spurs that affect the application site. The proposed scheme seeks to close off two of the existing spurs and create one alternative spur. The remaining spur is appropriate for the development. As a result, Unit 1 will have a dedicated access. Units 2 and 3 have a shared access.***

***Four pedestrian access points are also now proposed across the existing highway verge to connect the development parcels to the new footpaths along Durham Way on suitable desire lines for each unit (i.e. to M&S/Aldi to the north and Costa cabin to the east).”***

4.3.44 The Highways Authority have raised no objections to the application and have recommended the conditions set out below.

4.3.45 The Council's Transport Officer was consulted on the application and provided feedback. The Council's SPD gives the guidance of 1 space per 40sqm gfa if mixed B1/B2/B8 (unless heavily orientated to B8) for use where individual land use components are not known. 130 spaces are proposed. The Transport Officer advised that by his calculations the maximum standard for this development would be 157. This was queried with the agent for the application who provided the following response:

***“As noted by the Transport Officer, the proposed car parking is close to, but not at the maximum levels contained within the SPD. The SPD guidance is expressed as a maxima, and in this case, it is considered that 130 car spaces are appropriate when balanced with the provision of more than double the minimum requirements for cycle spaces and the general location and accessibility of the site to non-car modes of travel for staff. This site is opposite the new bus stops within Durham Way and close to the York Way stops. There is a safe and convenient footpath network connecting Durham Way to York Way and the town centre.***

***We noted the Royston Town Council comments regarding cycle parking. The scheme already includes 44 cycle spaces (against the 19 minimum provision to accord with standards). We consider this level of provision, at more than double the policy standard, is suitable for this development reflecting its accessible location.***

I have discussed this with the Council's Transport Officer and he does not object to the proposals and as such it is considered that the level of parking provision would not be a sustainable reasons to withhold planning permission. It is acknowledged that the site is close to bus stops and is within walking distance of the train station. It is noted that the cycle parking provision would exceed the standards required in the Supplementary Planning Document. A condition requiring the vehicle and cycle parking to be provided and maintained has been recommended.

- 4.3.46 The Waste and Recycling Team recommended conditions in relation to a circulation route for refuse collection vehicles and on-site storage facilities. Further information was provided on amended plans. The agent confirmed the following in relation to this matter:

***"The revised plans now show the specific location of the refuse areas within the service yards.***

***To accord with the Herts guidance on refuse provision, two 1,100litre bins are proposed per unit (1 x general waste; 1 x recyclables) to provide a minimum 2 days storage. These will be managed by private collection and the HGV turning areas are entirely appropriate for contractors refuse vehicles. We confirm that general waste and recyclables can be accommodated within the rear service yards with ample space for additional provision if required by future occupiers."***

Following re-consultation on this further information received the Waste and Recycling Team confirmed that there were no further issues from a Waste perspective, but that they would still recommend the condition in relation to on-site storage facilities as set out below.

#### **Environmental Protection matters**

- 4.3.47 The Environmental Protection Officer (Air Quality) was consulted on the application and amended plans. He has confirmed that the application of the NHDC Air Quality Planning Guidance to a development of this scale and location defines the site as being a medium scale development. For TYPE 2 (MEDIUM) developments require the default mitigation for TYPE 1 (MINOR) developments, requiring an appropriate level of EV charging points (as detailed below), and in addition a detailed travel plan. As such he recommended a condition that the development shall include provision for 10% of the car parking spaces to be designated for plug-in Electric Vehicles (EV) and served by EV ready charging points. Given that there will be a move towards electric vehicles in my view the site provides the opportunity to provide more EV ready charging points and I requested that they considered this. The agent responded as follows:



***“Electric Charging points: The scheme proposed 5% initial provision (6 spaces) with a view to increasing up to 10% on demand post occupation. As part of the revised plans, the applicant has added a further EV charging post to increase the initial on-site provision by a further 2 spaces for the largest unit 1, bringing the total proposed to 10 spaces (7.6%).”***

4.3.48 The Environmental Protection Officer made the following comments with regards to the revised plans:

***“In respect of EV charging provision the requirements as stated in the NHDC Air Quality Planning Guidance for residential accommodation is as detailed below:***

***Prior to occupation, the new development shall incorporate an appropriate number of Electric Vehicle (EV) ready charging points as follows:***

***The development shall include provision for 10% of the car parking spaces to be designated for plug-in Electric Vehicles (EV) and served by EV ready charging points.***

***The 10% provision will be phased with 5% initial provision and remainder at an agreed trigger level (usage).***

***The proposal for Electric Charge Points now includes the following:***

***Electric Charging points: The scheme proposed 5% initial provision (6 spaces) with a view to increasing up to 10% on demand post occupation***

***As part of the revised plans, the applicant has added a further EV charging post to increase the initial on-site provision by a further 2 spaces for the largest unit 1, bringing the total proposed to 10 spaces (7.6%)***

***This revises the proposed initial EV charging provision as below:-***

***Unit 1 - three posts serving 6 spaces***

***Unit 2 - one wall mounted unit serving 2 spaces***

***Unit 3 - one wall mounted unit serving 2 spaces***

***As the total number of proposed parking spaces is 122, the full 10% provision will require a total of 12 EV charge points.***

***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.”***

4.3.49 As such I have recommended a condition requiring that the development shall include provision for 10% of the car parking spaces to be designated for plug-in Electric Vehicles (EV) and served by EV ready charging points. I have also recommended a condition that a travel plan/ statement be submitted and approved by the Local Planning Authority prior to occupation. A Travel Plan Statement was submitted with the application and I understand that they could submit this as part of the application of approval of details reserved by condition, but they must appoint a Travel Co-ordinator as required, and notify us of who that will be.

- 4.3.50 The Environmental Health Officer (Noise and other nuisances) was consulted on the application and confirmed that due to the location of the proposed development and the absence of any nearby residential dwellings they have no objections to the application.
- 4.3.51 The Environmental Protection Officer (Contaminated Land) was consulted on the above application and confirmed that they have no objection to this application, with respect to contamination on land. They made the following comments.

***“Following the above-mentioned desk study and subsequent intrusive investigation, Nott Group conclude that, based on their findings to date, no remedial action is indicated to be necessary with respect to potential risks to human health and the environment, associated with potential contamination on land at this site. However, they recommend that, following removal of an electrical cable running from an electricity substation on the South Western boundary of the site, and crossing part of the site at the time of the investigation, soil sampling and subsequent analysis for PCBs, should be undertaken. I agree that this is necessary, and that the results of this analysis should be assessed, in order to determine whether they indicate any necessity for remediation/ risk management measures.”***

As such the Land Contamination condition below is recommended.

#### **Health and Safety Executive**

- 4.3.52 The application site falls within the HSE Consultation Zone due to the proximity of the Johnson Matthey business and its historic use of hazardous substances. The Health and Safety Executive were consulted and provided the following advice:

***“HSE is a statutory consultee for certain developments within the consultation distance of major hazard sites and major accident hazard pipelines, and has provided planning authorities with access to the HSE Planning Advice Web App - <https://pa.hsl.gov.uk/> - for them to use to consult HSE and obtain our advice.***

***As the proposed development lies within the consultation distance of a major hazard site, I should be grateful if you would arrange for the HSE Planning Advice Web App to be used to consult HSE for advice on this application, and on all future proposals for developments within the consultation distance of a major hazard site or pipeline.”***

- 4.3.53 The HSE Planning Advice Web App was used and received the following advice:

***“HSE's Advice: Do Not Advise Against, consequently, HSE does not advise, on safety grounds, against the granting of planning permission in this case.”***

4.3.54 It is noted from the Planning Statement that none of the buildings are likely to have 100 or more occupants at any one time, but that the future occupier is unknown so when using the Planning Advice Web App the scenario that the buildings could have more than 100 occupiers was used. As mentioned above, the HSE consultation was carried out on the basis that the use was for workplaces not uses such as those covered by the former Class D1, such as clinics, health centres, creches, day nurseries and day centres etc. However, a condition is recommended that the approved units shall only be used for uses falling under former Use Classes B1c, B2 and B8 and shall not be changed to another use, including any others within Use Class E (including those uses that fall within the former D1 Class), without first obtaining a specific planning permission from the Local Planning Authority.

### **Flooding/drainage**

4.3.55 The Lead Local Flood Authority and the Environment Agency were both consulted on the application. Following receipt of further information neither not objected to the proposal and both have recommended conditions as set out below. As such it is considered that any existing surface water flood risk issues have been satisfactorily addressed.

### **Ecology**

4.3.56 Hertfordshire Ecology were consulted on the application. They have raised no objections subject to a condition to protect breeding birds, their nests, eggs and young, because the application will require the destruction of rough grassland. They also recommend a condition requiring a Landscape and Ecological Management Plan be submitted and approved prior to the commencement of development.

### **Archaeology**

4.3.57 The Historic Environment Advisor, Hertfordshire County Council was consulted on the application.

***“The proposed development is large in size and in an area that may have archaeological potential – relatively close to Ermine Street Roman road, the Icknield Way (a prehistoric routeway) and Therfield Heath, where prehistoric archaeology of national significance can be found. Roman and medieval archaeological remains have been found within Royston itself, and the proposed development site can be judged to have at least a theoretical potential for Roman remains.***

***During archaeological investigations prior to the construction of the Redrow/Baldock Road housing development to the south, an enigmatic square ditched enclosure was discovered and radiocarbon dating to the Middle Saxon period (Oxford Archaeology East 2019). Given the quantity and nature of the finds recovered and its location close to the prehistoric barrows on Therfield Heath it was interpreted as a possible shrine.***

***The archaeological potential of this proposed development site is not such that we would recommend any evaluative works are necessary prior to the determination of the planning application. However, primarily due to the large scale of the development and the general archaeological potential of the countryside, the development area should be evaluated at some point prior to development commencing.***

***I believe that the proposed development is such that it should be regarded as likely to have an impact on heritage assets of archaeological interest and I recommend that the following provisions be made, should you be minded to grant consent:***

They went on to recommend the archaeological conditions as set out below, including a pre-commencement condition. The applicant has submitted further information and a response to the request for a pre-commencement archaeology condition by the Historic Environment Advisor. They concluded as follows:

***“Accordingly, we do not agree with the proposed pre-commencement condition proposed by the Historic Environment Advisor. There is no basis for requesting comprehensive trial trenching to be undertaken before the start of development on this site. The reasons given do not reflect the results of the 2018 and 2019 archaeological reports for the land south of the rail line which state a dearth of findings. The conclusion drawn is not justified. Furthermore, to date, no below ground archaeology has been revealed on the wider Durham Way site or on the part of the application site that already benefits from planning permission.”***

4.3.58 The Historic Environment Advisor has been consulted on the further information and response from the applicant. They have provided the following response:

***“Thank you for consulting me on additional information submitted in relation to the above application.***

***The applicant has challenged the validity of the archaeological conditions on the following basis:***

- 1. They argue that the significance of the enclosure to the south was overstated.***
- 2. They argue that construction works, including geotechnical works, at adjacent sites have not revealed any archaeology.***

***My reasoning for the recommended archaeological conditions was as follows:***

***- However, primarily due to the large scale of the development and the general archaeological potential of the countryside, the development area should be evaluated at some point prior to development commencing.***

***In regard to point (1), I have forwarded a more up to date and extensive report by Oxford Archaeology on this enclosure which interprets it as a possible Middle Saxon shrine. I acknowledge that this in itself is likely to be an isolated site, however it is evidence of the kind of archaeology that is present in this landscape, and an example of the general archaeological potential of the countryside.***

***With point (2), no archaeological evaluation took place on any of the sites mentioned, because this office was not consulted. Had we been, we would have strongly recommended that one take place. Archaeological features, should they have been present, are very unlikely to have been identified by non archaeological groundworkers, or in boreholes or small machine dug test pits.***

***I continue to recommend the same archaeological conditions. The applicant's agent has contacted me separately to determine whether a watching brief during construction groundworks, rather than an evaluation, would be a reasonable approach.***

***I am not against this, although I would argue that the expense of paying for archaeologists to be present throughout groundworks, plus the delay, disruption and expense caused if unexpected remains are found, often is more detrimental to a developer than an up-front evaluation. An evaluation before development starts shows the archaeological potential of the site once and for all, and may be the end of the archaeological requirements.***

***The recommended conditions remain the same regardless, but I am more than happy to consider the watching brief approach."***

With the agreement of the Historic Environment Advisor the wording of the pre-commencement archaeological condition has been amended slightly to reflect the above. The agent for the applicant has confirmed their agreement to this updated pre-commencement condition as recommended below.

### **EIA Regulations**

4.3.59 With regards to the EIA Regulations (2017) the following information has been presented in the Planning Statement:

***"The Town and Country Planning (Environmental Impact Assessment) (Amendment) Regulations 2017 describes certain types of developments ('Schedule 1 and Schedule 2 development') that require EIA. The proposals, subject of this application, do not fall within any categories of development within Schedule 1 and thus EIA is not required under these provisions.***

***Schedule 2 of the EIA Regulations describes certain types of development where EIA may be required if the development has the potential (likelihood) to give rise to 'significant' environmental effects. Under Schedule 2 (10a) of the EIA Regulations, the threshold for "Industrial estate development" is if "the area of the development exceeds 0.5 hectares". At 1.37 hectares, the application Site is over this threshold, and therefore, is considered to be Schedule 2 development requiring screening.***

***However, the Site was included within the red line boundary for a Screening Opinion issued by the Council in 2014, which considered the 11ha wider site and development proposed in relation to planning permission 14/01809/1. The proposed development subject of the Screening Opinion covered a greater site area and amount of development, than proposed under this standalone application and it was determined that the development would not have significant environmental effects warranting EIA.***

***There have been no significant changes in the environmental considerations, since the original Screening Opinion was issued. There are no other committed development sites within the local area which would be of sufficient scale to lead to concerns over the cumulative impact of the proposed development at Royston Gateway.”***

- 4.3.60 This assessment is accepted and as such a screening opinion has not been requested by the applicant in relation to this application.

#### **Planning obligations**

- 4.3.61 The proposal is major development by virtue of a floor area of over 1000 m<sup>2</sup>; and is considered eligible for Section 106 legal contributions. Hertfordshire County Council as Highway Authority have not sought any contributions towards sustainable transport. It has been set out above that the Council does not consider a Travel Plan/Statement by S106 necessary, as it can be required by condition. It is not therefore considered that the application requires planning obligations.

#### **Sustainable development**

- 4.3.62 The proposal has to be assessed as to whether the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF as a whole (as set out in paragraph 11 d).
- 4.3.63 The proposal is not considered to result in harm to the character of the locality and is consistent with the LPA objective of developing the wider area RY9 for employment. The proposal would provide employment, benefits to the locality through the provision of additional employment, and would potentially allow for this part of the RY9 to be developed relatively quickly resulting in a visual improvement from its present condition. It is considered that the proposal complies with the objectives of RY9 of the Emerging Local Plan.
- 4.3.64 In taking into account all material considerations, the proposal would provide benefits and is not considered harmful. Given that no other harms would result, the proposal is considered sustainable development and would not conflict with the NPPF and local policies.

## **Planning balance**

- 4.3.65 As set out above the previously undeveloped area of land RY9 is now transitioning towards being fully developed for employment purposes with internal access roads and roundabouts having been completed, and land re-grading and new food stores having been implemented. Given the weight to be attached to the Emerging Local Plan, previous planning permissions and as the proposal would provide employment use within RY9, the proposed development of the site for Class E (former B1C, B2 and B8 units) is considered policy compliant and a benefit which attracts moderate weight in the planning balance.
- 4.3.66 It is considered that the proposed development would meet an economic objective by providing space for employment opportunities across a range of uses and could increase economic activity in Royston. The scheme has been designed to encourage sustainable forms of transport. It is acknowledged that the proposal would have a visual impact, but it is considered that this would be within the range of acceptable. It is considered that the proposal would not have an adverse impact on the natural, built and historic environment. As such it is considered that the proposal would meet the social and environmental objectives as set out in paragraph 8 of the NPPF.
- 4.3.67 On balance, it is considered that the adverse impacts of granting permission would not significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework as a whole, in line with paragraph 11 of the NPPF.

## **4.4 Conclusion**

- 4.4.1 Overall, the benefits of an approval in advance of formal allocation of this site outweigh any identifiable harm in my view. In this regard the scheme must be seen as compliant with the NPPF, specifically paragraph 11. In the absence of material planning reasons to the contrary it is my view that planning permission should be granted.

### **Alternative Options**

None applicable

### **Pre-Commencement Conditions**

- 4.4.2 The agent for the applicant has confirmed their agreement to the pre-commencement conditions.

### **Climate Change Mitigation Measures**

- 4.4.3 Emerging Local Plan Policy D1: Sustainable Design states that:

***“Planning permission will be granted where development proposals...take all reasonable opportunities, consistent with the nature and scale of the scheme, to reduce energy consumption and waste.”***

- 4.4.4 In their response to my feedback on the application the agent for the applicant has stated that: "Maintaining the roof slope in its current form allows for the proposed rooflights and provides an opportunity for solar panels." As such I do not consider it would be unreasonable to impose the following condition:

***"Prior to commencement of the development details of the solar panels should be submitted to and approved in writing by the Local Planning Authority. The approved solar panels shall be implemented on site.***

***Reason: To mitigate the impact of the building on climate change in line with Policy D1 of the Emerging Local Plan."***

- 4.4.5 As set out above a condition is recommended requiring EV re-charging points. The scheme would provide more cycle parking than that required by the Supplementary Planning Document.

## 5.0 **Legal Implications**

- 5.1 In making decisions on applications submitted under the Town and Country Planning legislation, the Council is required to have regard to the provisions of the development plan and to any other material considerations. The decision must be in accordance with the plan unless the material considerations indicate otherwise. Where the decision is to refuse or restrictive conditions are attached, the applicant has a right of appeal against the decision.

## 6.0 **Recommendation**

- 6.1 That planning permission be **GRANTED** subject to the following conditions

1. The development hereby permitted shall be 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. Notwithstanding the provisions of the Town and Country Planning (Use Classes) (Amendment) (England) Order 2015 (as amended), the approved units shall only be used for uses falling under former Use Classes B1c, B2 and B8 and shall not be changed to another use, including any others within Use Class E (including those uses that fall within the former D1 Class), without first obtaining a specific planning permission from the Local Planning Authority.



Reason: Given the breadth of uses encompassed within the E Class of the Use Classes Order (as it also includes uses falling within the former D1 Use Class) the Local Planning Authority seeks to retain control over any change of use that would normally be permitted, in the interests of the character and amenities of the area.

4. Details and/or samples of materials to be used on all external elevations and the roof of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced 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.

5. Notwithstanding the submitted plans, a detailed landscape scheme shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing and the approved details shall be implemented on site. The landscape scheme shall include:
  - a) which, if any, of the existing vegetation is to be removed and which is to be retained, including how it will be protected during the construction works;
  - b) what new trees, shrubs, hedges are to be planted and areas grassed, together with the species proposed and the size and density of planting, this includes planting within the car park to provide shade, structure and ameliorate the expanse of hard surfacing;
  - c) the location and type of any new walls, fences or other means of enclosure, and details of any hard surfacing proposed;
  - d) details of any earthworks proposed.

Reason: To ensure the submitted details are sufficiently comprehensive to enable proper consideration to be given to the appearance of the completed development.

6. 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.

7. Prior to first occupation a maintenance schedule/strategy for the planting shall be submitted to and approved in writing by the Local Planning Authority. The approved maintenance schedule/strategy shall be implemented and complied with.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality.

8. Before the occupation of any part of the floorspace hereby permitted, the parking and loading/unloading facilities and cycle parking shown on the approved plan shall be marked out and made available, and shall thereafter be kept available solely for parking in connection with the premises.

Reason: To ensure the provision of satisfactory vehicle and cycle parking and loading/unloading facilities clear of the public highway to meet the needs of the development.

9. Prior to commencement of the development as defined on Drawing Number 113\_423.3-0706 revision P04 and 113\_423.3-0706 revision P05 detailed drawings of all highway works shall be submitted and approved in writing by the Highway Authority.

Reason: To ensure suitable, safe and satisfactory planning and development of the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan 4 (adopted 2018).

10. Before the access is first brought into use, as defined on Drawing Number 113\_423.3-0706 revision P04 and 113\_423.3-0706 revision P05, vehicle to vehicle visibility splays of 2.4 metres by 43 metres to the both directions shall be provided and permanently maintained. Within which, there shall be no obstruction to visibility between 600 mm and 2.0 metres above the carriageway level. These measurements shall be taken from the intersection of the centre line of the permitted access with the edge of the carriageway of the highway respectively into the application site and from the intersection point along the edge of the carriageway.

Reason: To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan 4 (adopted 2018).

11. Construction of the approved development shall not commence until a Construction Traffic Management Plan has been submitted 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 shall include construction vehicle numbers/routing such as prohibition of construction traffic being routed through any of the country lanes in the area and shall be carried out as approved.

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).

12. No part of the development shall be occupied until full details have been 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 the development. 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.

Reason: To ensure satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard in accordance with Policy 5 of Hertfordshire's Local Transport Plan 4 (adopted 2018).

13. In order to protect breeding birds, their nests, eggs and young, the clearance of vegetation should only be carried out during the period 1 October to 1 March. If this is not possible then a pre-development (ie no greater than 48 hours before demolition begins) search of the area should be made by a suitably experienced ecologist. If active nests are found, then works must be delayed until the juvenile birds have left the nest and are fully independent or professional ecological advice taken on how best to proceed.

Reason: In order to protect breeding birds, their nests, eggs and young.

14. Prior to the commencement of development, a Landscape and Ecological Management Plan should be prepared and submitted to the Local Planning Authority for approval, detailing how it is planned to incorporate biodiversity as part of the development. Thereafter, the works shall be carried out in accordance with the approved Biodiversity and Landscape Plan.

Reason: In order to secure a biodiversity gain.

15. This site shall not be occupied, or brought into use, until:
- (i) The electrical cable running onto the site from the electricity substation on the South Western boundary, has been re-directed.
  - (ii) Appropriate soil samples have been taken from parts of the site immediately adjacent to the sub-station, and these have been analysed for concentration of PCBs.
  - (iii) The results of the analysis required in (ii), have been subjected to a risk assessment, to determine whether remediation, or other risk management measures, are required in relation to any excessive concentrations of PCBs which may be measured at the site, with respect to their potential to represent a risk of harm to human health, and the built and natural environment.
  - (iv) (Should any such remedial or risk management measures be found to be necessary), a Remediation Method Statement report has been submitted to, and approved by the Planning Authority.
  - (v) All works which form part of any Remediation Method Statement report found to be required, have been fully completed and, if required, a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme.
  - (vi) A Remediation Verification Report confirming that the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority.
  - (v) Any contamination, other than that reported by virtue of Parts (i) and (ii), encountered during the development of this site, 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 this site.

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.

16. If, during development, contamination not previously identified is found to be present at the site then no further development (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 National Planning Policy Framework (NPPF) paragraphs 170, 178, 179, Environment Agency Groundwater Protection Position Statements and Policy SP11 of the North Herts District Council Local Plan.

17. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment and Drainage Strategy carried out by GWD Consulting Engineers dated 31 July 2020 reference P67/02 (v3.1), submitted and the following mitigation measures detailed within the FRA:
1. Providing attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event.
  2. Undertaking appropriate drainage strategy based on infiltration and to include permeable paving and soakaways.
  3. Providing 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% climate change event.
  4. Implementing drainage strategy as indicated on the drawing Drainage Strategy drawing reference 42176-SK-001.

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

18. 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 Flood Risk Assessment and Drainage Strategy carried out by GWD Consulting Engineers dated 31 July 2020 reference P67/02 (v3.1). The scheme shall also include;
1. Full detailed engineering drawings including cross and long sections, location, size, volume, depth and any inlet and outlet features. This should be supported by a clearly labelled drainage layout plan showing pipe networks. The plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.
  2. All calculations/modelling and drain down times for all storage features.
  3. Exploration of opportunities for above ground features reducing the requirement for any underground storage and silt traps for protection for any residual tanked elements.
  4. Details regarding any areas of informal flooding (events those exceeding 1 in 30 year rainfall event), this should be shown on a plan with estimated extents and depths.
  5. Details of final exceedance routes, including those for an event which exceeds to 1:100 + cc rainfall event.

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

19. Upon completion of the drainage works a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include maintenance and operational activities; arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

20. Prior to first occupation a detailed travel plan/statement shall be in place with reference to the Travel Plan Guidance' at [www.hertsdirect.org](http://www.hertsdirect.org)  
The applicant shall submit and have approved by the Council an appropriately detailed Travel Plan/Statement to promote sustainable travel.
- o The content of the travel plan/statement shall be fully assessed prior to its approval in conjunction with local authority officers.
  - o The agreed targets and objectives included in the travel plan/statement are secured for implementation by mutual agreement of the local authority and the developer/applicant.
  - o The outputs of the travel plan/statement (typically trip levels and mode split) are annually monitored against the agreed targets and objectives.
  - o Should the travel plan/statement not deliver the anticipated outputs or meet the targets and objectives further mitigation/ alternative/ compensation measures need to be identified and implemented.
  - o A named co-ordinator is required for success of the travel plan/ statement..
- The approved travel plan/statement shall be implemented in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of sustainable travel.

21. Prior to occupation, the new development shall incorporate an appropriate number of Electric Vehicle (EV) ready charging points as follows:

The development shall include provision for 10% of the car parking spaces to be designated for plug-in Electric Vehicles (EV) and served by EV ready charging points.

The 10% provision will be phased with 5% initial provision and remainder at an agreed trigger level (usage).

As the total number of proposed parking spaces is 122, the full 10% provision will require a total of 12 EV charge points.

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.

22. Prior to commencement of development details of solar panels should be submitted to and approved in writing by the Local Planning Authority. The approved solar panels shall be implemented on site.

Reason: To mitigate the impact of the building on climate change in line with Policy D1 of the Emerging Local Plan.

23. 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 safeguard the archaeological record.

24. 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 23.

Reason: To safeguard the archaeological record.

25. 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 (23) and the provision made for analysis and publication where appropriate.

Reason: To safeguard the archaeological record.

26. Prior to the commencement of development, full details of the on-site storage facilities for commercial waste, including waste for recycling shall be submitted to and approved in writing by the local planning authority. Such details shall identify the specific positions of where wheeled bins, or any other means of storage will be stationed and the specific arrangements to enable collection from refuse collection vehicle access point and, the arrangements for the disposal of waste shall be provided and shall include provision for a minimum of 50% recycling/organic capacity. 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 protect the amenities of nearby residents/occupiers and in the interests of visual amenity, source segregation of waste in accordance with pre-treatment regulations.

Proactive Statement:

Planning permission has been granted for this proposal. The Council acted proactively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted proactively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Informative/s:

1. Environmental Protection (Air Quality) Informative  
EV Charging Point Specification:

Each 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>.

2. Highways Informatives

1. Construction standards for works within the highway: The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 38/278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. 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> or by telephoning 0300 1234047.

2. Prior to commencement of the development the applicant is advised to contact the North Herts Highways Network Team [NM.North@hertfordshire.gov.uk] to arrange a site visit to agree a condition survey of the approach of the highway leading to construction access likely to be used for delivery vehicles to the development. Under the provisions of Section 59 of the Highways Act 1980 the developer may be liable for any damage caused to the public highway as a result of traffic associated with the development considering the structural stability of the carriageway. The County Council may require an Officer presence during movements of larger loads, or videoing of the movements may be considered.

3. Anglian Water Informatives

Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement.

Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

(1) INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.

(2) INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.

(3) INFORMATIVE

- Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed

development. It appears that development proposals will affect existing public sewers. It is recommended that the

applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over

existing public sewers will not be permitted (without agreement) from Anglian Water.

















(4) INFORMATIVE - Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087.

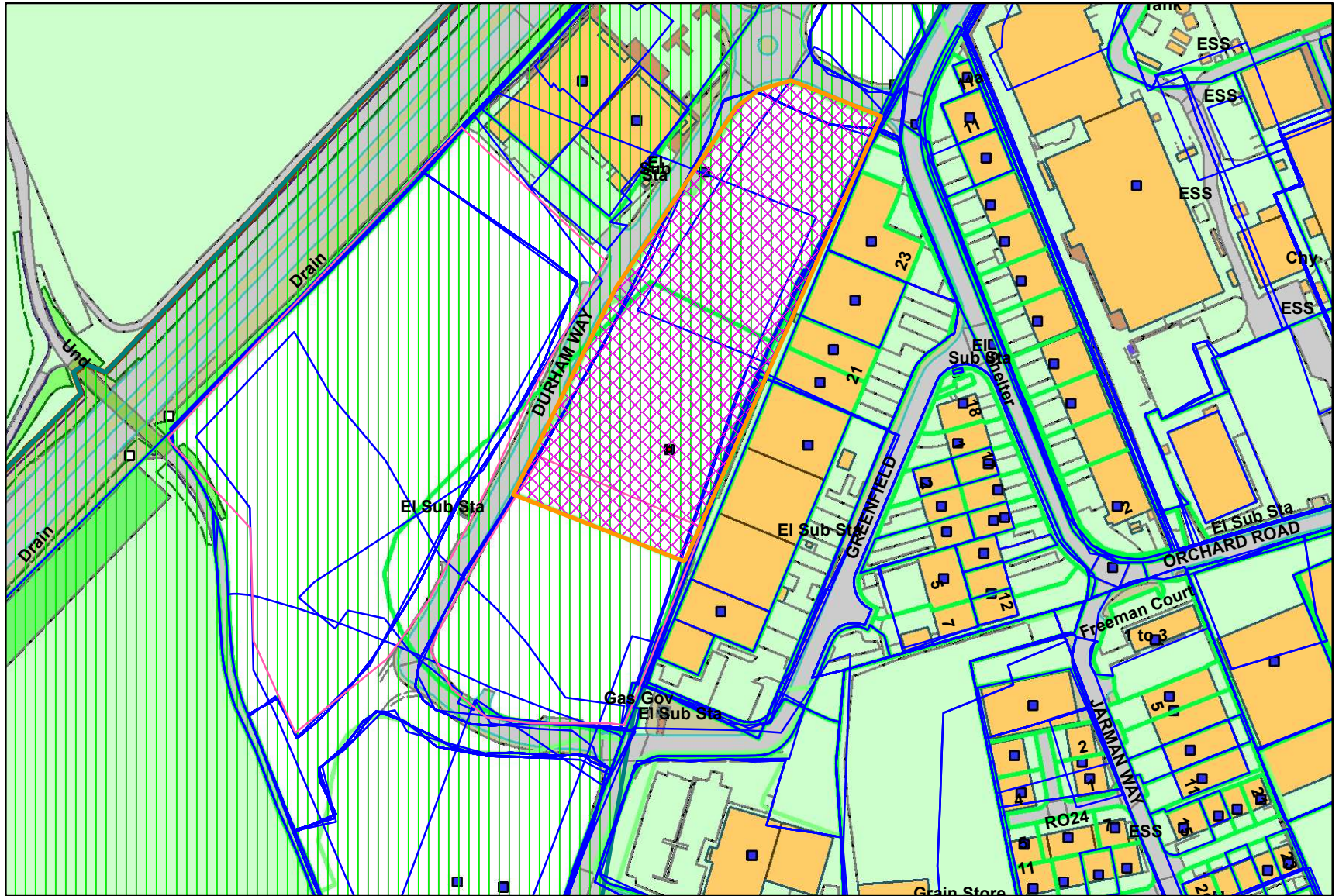
(5) INFORMATIVE: The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.



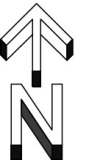
## Application Validation Sheet

20/01017/FP Land South of Durham Way, Royston Gateway, Royston, Herts, SG8 5GX

-  **Acolaid Land Parcel**  
Property.shp
-  **Acolaid Address Point**  
ap.shp
-  **Planning Application (1999)**  
Prapps99.shp
-  **Area of Outstanding Natural Beauty**  
Pranob.shp
-  **Listed Buildings**  
Prlistbd.shp
-  **Tree Preservation Order (Single)**  
ORACLE
-  **Tree Preservation Order (Group)**  
ORACLE
-  **Parish Boundary**  
Prparish.shp
-  **Conservation Area**  
Prcrea.shp
-  **District Local Plan Boundary**  
Prdlp2.shp
-  **Green Belt**  
Prgrnbt.shp
-  **Health & Safety Consultation Zone**  
Prjnzshp
-  **Landscape Conservation**  
Prlandca.shp
-  **Ward Boundary**  
Prwardcd.shp
-  **Noise Nuisance Indicators**  
Prnnis.shp
-  **Indicative Flood Plain**  
Prifpm.shp



Scale 1:2,500  
Date: 01/12/2020



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