

Location:           **Land Rear Of 17  
Walnut Tree Road  
Pirton  
Hertfordshire**

Applicant:           **Mr O Doyle**

Proposal:           **Erection of ten dwellings comprising of two 2-bed, four 3-bed, one 4-bed and three 5-bed dwellings with associated garaging and landscaping including creation of new vehicular access off Walnut Tree Road.**

Ref. No:              21/01392/FP

Officer:              **Tom Rea**

**Date of expiry of statutory period:** 04/08/2021

**Extension of statutory period:** 3/9/2021

**Reason for referral to Committee:** The development is residential development with a site area of 0.5 hectares or greater (0.61 hectares)

## 1.0 **Policies**

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

Policy 7: Selected Villages beyond the Rural Area beyond the Green Belt

Policy 16: Archaeological Areas of Significance and other Archaeological Areas

Policy 26: Housing Proposals

Policy 55: Car Parking Standards

Policy 57: Residential Guidelines and Standards

### 1.2 **National Planning Policy Framework (Revised July 2021).**

Section 2: Achieving sustainable development

Section 4: Decision-making

Section 5: Delivering a sufficient supply of homes

Section 6: Building a strong competitive economy

Section 8: Promoting healthy and safe communities

Section 9: Promoting sustainable transport

Section 11: Making effective use of land

Section 12: Achieving well designed places

Section 15: Conserving and enhancing the natural environment

Section 16: Conserving and enhancing the historic environment

1.3 **Proposed Submission North Hertfordshire Local Plan 2011-2031 (Incorporating the Proposed Main Modifications November 2018 and May 2021)**

Strategic Policies

SP1: Sustainable development in North Herts

SP2: Settlement hierarchy

SP6: Sustainable transport

SP7: Infrastructure requirements and developer contributions

SP8: Housing

SP9: Sustainable Design

SP10: Healthy communities

SP11: Natural resources and sustainability

SP13: Historic environment

Development Management Policies

T1: Assessment of transport matters

T2: Parking

HS3: Housing mix

HS5: Accessible and adaptable housing

D1: Sustainable Design

D3: Protecting living conditions

D4: Air quality

NE5: New and improved public open space and biodiversity

NE7: Reducing flood risk

NE9: Water quality and environment

NE10: Water Framework Directive and wastewater infrastructure

NE11: Contaminated land

HE1: Designated heritage assets

HE4: Archaeology

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

Vehicle Parking at New Development September 2011

Pirton Design SPD

#### 1.5 **Pirton Neighbourhood Plan**

PNP1: Meeting Local and Wider Needs

PNP2: Design and Character

PNP4: Hedgerows, Trees and Verges

PNP5: Wildlife

PNP6: Local

PNP8: Heritage Assets and Archaeological Heritage

PNP11: Safety of Pedestrians, Cyclists, Equestrians and Motorists

PNP13: Car Parking

#### 2.0 **Site History**

18/01635/FP: Erection of 8 dwellings comprising two x 2-bed, five x 3-bed and one x4-bed dwellings associated garaging and landscaping including creation of new vehicular access off Walnut Tree Road (as amended by drawings 2016-37.P.001B, P002E, P005A,P006A, and P007A received 07/01/2019 and drawings ST-2596- 01C, 02C, and 03C received 08/01/2019).

Granted 27/2/19

20/01070/FP: Erection of 8 dwellings comprising two x 2-bed, five x 3-bed and one x 4-bed dwellings associated garaging and landscaping including creation of new

vehicular access off Walnut Tree Road. Granted 5/8/20

20/02835/FP: Erection of eight dwellings comprising of two 4-bed and six 3-bed dwellings with associated garaging and landscaping including creation of new vehicular access off Walnut Tree Road (as amended on 26.02.21). Granted planning permission 22.03.21 and under construction.

### 3.0 **Representations**

The following representations have been received:

#### 3.1 **Pirton Parish Council:**

Object to the granting of permission until such time as:

1. An archaeological assessment is carried out on the additional piece of land and arrangements made for appropriate work to be undertaken to record any archaeological remains
2. A bat assessment is carried out on the additional piece of land and arrangements made for net biodiversity gain which will benefit bats in the area
3. The Heritage statement is improved
4. The DAS includes a correct photograph of the whole site and accurate descriptions of the proposed houses
5. There is confirmation that the two spaces at the turning area are large enough to act as a turning space for large vehicles;
6. There is confirmation that the proposed garages are large enough to accommodate a modern car;
7. That the heights of the tallest buildings are substantially reduced to no more than 8 metres and the 2 bedroom properties revert to their original modest bungalow design.
8. That the issue of Footpath 005 is resolved.

The Parish Council have also requested Section 106 contributions towards leisure facilities, sustainable transport and public open space.

#### 3.2 **Hertfordshire Highways:**

No objections subject to conditions

#### 3.3 **Environmental Health (Noise & Nuisance)**

Recommends conditions and an informative

**3.4 Environmental Health (Contamination and Air Quality)**

Recommends a land contamination condition and an electric vehicle recharging infrastructure condition.

**3.5 Lead Local Flood Authority**

Raise several concerns with regard to drainage strategy and have requested further information.

**3.6 NHDC Waste & Recycling officer**

Confirms waste arrangements including vehicle access is satisfactory

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

Recommends an archaeological condition

**3.8 Hertfordshire County Council Water Authority:**

Requests the provision of fire hydrants

**3.9 HCC Growth & Infrastructure:**

Requests contributions towards primary and secondary education and library facilities.

**3.10 HCC Rights of Way unit:**

No response

**3.11 Anglian Water:**

Recommends an Informative concerning connection to the public sewer.

**3.12 Responses to site notices / public consultation:**

Several responses have been received including the following concerns (full details of correspondence is on the Planning website) :

- No need for 5 bedroom properties
- Insufficient parking
- Excessive height of houses
- Developers seeing profit and not sensitive to local needs
- Plot 1 an overdevelopment and not in keeping
- Insufficient ecological mitigations
- No bungalows
- Supporting documents poorly presented, lacking information

- Lack of extended consultation period
- Inadequate archaeological and ecological assessment
- Housing Mix, density and parking provision does not meet Local Plan / Neighbourhood Plan policies

#### 4.0 **Planning considerations**

##### 4.1 Site and surroundings

4.2 The application site is located towards the eastern edge of the defined settlement boundary of Pirton with the rural area beyond the Green Belt lying beyond said boundary. The site is located to the rear of several properties, nos. 7-17 Walnut Tree Road, north of No. 19 Walnut Tree Road and south of No. 4 Hambridge Way. To the east of the site is No. 10 Hambridge Way and agricultural fields. The Toot Hill Scheduled Monument is located to the west of the site on the other side of Walnut Tree Road. The site also lies within the Pirton Conservation Area albeit to its eastern edge. A public footpath (Pirton Footpath 5) runs diagonally across the site from the western boundary to the south-eastern corner to link with the recreation ground which is located to the south-east.

The majority of the site (central and southern section) is currently being developed with 8 dwellings with associated access road from Walnut Tree Road following the grant of planning permission in March 2021.

##### 4.3 Proposals

4.4 Since the previous grant of planning permission for 8 dwellings (21/02835/FP) and the commencement of that development on site, further land to the north (formerly part of No. 4 Hambridge Way) has been acquired to form a larger development area and a consequent increase in the total number of dwellings served off Walnut Tree Road from 8 units to 10. As the additional land is accessed through the development approved under permission ref: 20/02835/FP a further application for 10 dwellings in total is submitted for consideration.

4.5 The proposed development now comprises the following mix of 2, 3, 4 and 5 bed homes:

Plot 1 Detached 4-bed two-storey house

Plot 2 Detached 3-bed two-storey house

Plot 3 Detached 3-bed two-storey house

Plot 4 and 5 Semi-detached 3-bed two-storey houses

Plot 6 Detached 2-bed one and a half- storey bungalow

Plots 7 and 8 Detached 5-bed two-storey houses

Plot 9 Detached 5-bed two- storey house

Plot 10 Detached 2-bed one and a half- storey bungalow

4.6 In addition to the two new plots (Plots 7 & 8 on the northern part of the site) the approved development has altered in respect of the following:

- Plot 1 – provision of additional rear single storey projection
- Plot 4 – provision of a car port and drive (previously a two space driveway)
- Plot 5 - provision of a car port and drive (previously a two space driveway)
- Plot 6 - provision of a car port and drive (previously a two space driveway)
- Plot 9 (previously Plot 7) – increase in footprint / redesigned elevations
- Provision of additional 2 visitor parking spaces
- Extended access road leading to plots 7 & 8

4.7 The application is supported by the following:

- Planning, Design and Access statement
- Heritage statement
- Flood Risk Assessment
- Archaeological Written Scheme of Investigation (for Plots 7 & 8)
- Tree Survey and Tree protection Plan
- Ecology report (May 2021)
- MKA Ecology Bird and bat box plan (June 2021)
- Construction Management Plan
- Materials schedule
- Landscape plan, management and maintenance details

4.8 Key issues

4.9 Planning permission for 8 dwellings has been granted on the central and southern section of this site on three occasions and the latest approval is being implemented on site and is nearing completion. Whilst there are some changes to the approved scheme (as set out at paragraph 4.6 above) these are relatively minor and do not raise any significant planning issues in my opinion. There is no increase in height to any of the 8 dwellings as previously approved and now being constructed and there is no material change to the siting of the 8 plots as approved.

The provision of the two new dwellings on plots 7 & 8 is the main issue for consideration with this application together with design, layout and parking matters. In addition, the impact of the additional dwellings on designated heritage assets as well

as other environmental matters and impact on surrounding residents are also matters for discussion.

#### 4.10 Principle of additional development

4.11 The land forming the northern addition to this development site falls within the designated village boundary as recognised in the local plan and neighbourhood plan. Pirton is identified as a Category 'A' village in the Emerging Local Plan (Policy SP2) within which '*general development will be allowed within defined settlement boundaries*' (extract from Policy SP2 'Settlement Hierarchy and Spatial Distribution'). Similarly, the Pirton Neighbourhood Plan supports residential development within the village boundary (Policy PNP1) subject to several criteria. I consider that the development proposal as a whole meets, by and large, the criteria set out in PNP1 as follows:

1.1 The site is within the boundary of the village

1.2 It is a development of no more than 30 houses

1.3 It has regard to the needs of young families by providing 2/3 bedroom homes

1.4 It includes two chalet bungalows on small manageable plots suitable for the elderly

1.5 It provides a mix of homes

1.6 Affordable housing – not relevant to this site

1.7 The application includes a construction management plan

4.12 In terms of spatial context and with particular reference to the new Plots 7 & 8, the northern part of the site is surrounded on all sides by development (Nos 4 and 10 Hambridge Way, Nos 7 – 9A Walnut Way and the 8 dwellings under construction to the south). As such it is considered that there can be no objection in principle to the proposed additional dwellings - subject to all other material considerations which are discussed below.

#### 4.13 Design, layout and appearance

4.14 In terms of the central and southern section of the site the design, layout and appearance of plots 1 – 8 have been previously agreed and granted planning permission under ref 20/02835/FP. The additional ground floor projection to plot 1 is modest in scale and of an appropriate design. The additional garages have pitched roofs and meet the required dimensions (3 x 7 metres measured internally). The re-design of plot 9 is mainly limited to the re-positioning of the garage and an increase in width by 3 metres. These changes are unobjectionable in design terms and can be accommodated given the size of this plot. Finally, the additional visitor parking spaces in the south eastern corner do not hinder the turning area radii of the access road.

- 4.15 Turning to the northern part of the site and the new plots 7 & 8 it will be noted that these dwellings are on generous plots sizes in keeping with the relatively large plots of the surrounding houses and reflective of the edge of settlement location where density is expected to reduce towards the settlement boundaries. The space around these dwellings allows for the retention of several of the trees on this part of the site and the new dwellings do not impinge on the mature planting along the site boundaries.
- 4.16 In terms of design, dwellings 7 & 8 are proposed to be of a traditional gabled roof design with a steep pitch. The proportion of fenestration to brickwork and render is appropriate and the provision of chimneys and casement windows add to the overall quality in this conservation area setting.
- 4.17 The overall density of the development equates to around 16 dwellings per hectare (dph) which is appropriate for this location near to the village boundary and by comparison less than the density of more recent developments in the village close to the settlement boundary (such as Drovers Way, Saxon Close and Baulk Gardens which are between 17.7 - 21 dph) .
- 4.18 Policy PNP 2 of the Neighbourhood Plan relates to Design and Character of new development. I believe that the proposals meet the majority of the requirements of this policy. This is a low density development of a height and scale that reflects the surrounding two storey development. The use of quality materials including buff brick, slates and clay tiles is sympathetic with the conservation area setting. It is fully integrated into the village with public footpath No. 5 maintained and connecting the site to the village recreation ground. All of the dwellings will have garages that are oversized for storage and discreet bin storage areas are provided. Every dwelling has a garden and parking does not dominate the streetscape.
- 4.19 In terms of landscape impact this development does not affect any of the Key Views and Vistas set out in PNP 7. In addition, the development does not directly affect any of the Local Green Spaces (Policy PNP6). A full landscape schedule is included with this application providing native trees, shrubs and hedge planting. Existing boundary planting, particularly along the eastern boundary is maintained minimising the visual impact of the development (Policy PNP 4).
- 4.20 In terms of connectivity this development maintains the existing footpath through the site and in doing so provides access to the countryside (via the recreation ground) for the prospective occupiers. Arguably, the more open sections of the maintained footpath No. 5 through the site provide for a better experience for users than the previous enclosed part of the footpath. The development therefore complies with NP Policy PNP 12.
- 4.21 Impact on living conditions
- 4.22 As states there are no significant material changes to the approved scheme for 8 dwellings therefore the main impact will be from the two new dwellings on Plots 7 & 8. As mentioned these dwellings are set within generous plots with a good amount of

spacing around them . Each dwelling is two storey and approximately 9.8 metres in maximum height which is comparable with surrounding properties. Plot 7 is over 30 metres from the rear elevations of No2. 9 & 9A Walnut Tree Road and 22 from the side elevation of 4 Hambridge Way. The back gardens are between 12 and 15 metres in depth therefore there would be adequate separation distance from No 4. The site is flat therefore there would be no overbearing impact. There would be ample amenity space for the occupiers of the new dwellings and at least 4 parking spaces to each property. In conclusion, I consider that the living conditions for prospective and existing residents would be acceptable.

#### 4.23 Impact on heritage assets

4.24 The application is accompanied by a Heritage assessment however it does not fully describe the significance of the heritage assets affected. Nevertheless, these are assessed as follows:

##### The Pirton Conservation Area

The site is within the Pirton Conservation Area and therefore the proposal must preserve or enhance its character and appearance. The former allotments on the southern part of the site and the former garden to No. 4 Hambridge Way are not specifically mentioned as having any particular value to the Conservation Area and there are no key views across the site in the Pirton village Conservation Area Character statement or in the Neighbourhood Plan. The principle of residential development on the majority of the site has already been accepted by the granting of planning permission previously and the addition of part of the former garden to No. 4 Hambridge Way to provide two additional dwellings of a similar scale and density to surrounding residential development does not raise conflict with the heritage asset's conservation in my view.

##### 7 Walnut Tree Road

This property is grade II listed and located to the north west of the site fronting Walnut Tree Road but with its rear garden boundary abutting the site. The property is timber framed and sub-divided into two dwellings. The nearest dwelling at Plot 7 would be approximately 5 metres from the garden boundary with No. 7 Walnut Tree Road and approximately 35 metres from the rear elevation of the listed building. Given the distances involved and the development surrounding No. 7 at present I consider that the proposed siting of Plot 7 does not have any significant impact on the setting of the listed building.

##### Toot Hill Schedule Monument

The monument is located to the west of application site on the other side of Walnut Tree Road. Historic England confirmed at the time of the consideration of the first application (18/01635/FP) that the redevelopment of the site would have no impact on

the setting of the Scheduled Monument. This remains the case with this application in my view notwithstanding the inclusion of the additional land involved to the north.

#### Non-designated heritage assets

The cottages at Nos 1 & 2 Hambridge Way and 3 & 5 Walnut Tree Road are buildings of local interest and they make a positive contribution to the Pirton Conservation Area. The cottages are some distance from the majority of the application site and only No. 2 has a curtilage that is close to or near the northern part of the site where Plots 7 & 8 are proposed. Their contribution to the setting of the Conservation area is not affected by this development.

4.25 Overall, the development would have a neutral impact on the heritage assets identified above in my view. However, if the view was taken that there would be some harm from the development it would be less than substantial and a harm that is outweighed by the public benefits of the scheme which are the delivery of housing at a time when the Council cannot demonstrate a five year supply of deliverable housing land together with the maintenance of the public footpath through the site.

#### 4.26 Impact on archaeological assets

4.27 The site is within an Area of Archaeological Significance which covers the core of the village of Pirton which has origins in the early to middle Anglo-Saxon period. The planning permission currently being carried out at the site was subject to compliance with a previously agreed Written Scheme of Investigation (WSI). The current application required an additional archaeological WSI and this has been submitted and approved as satisfactory by the County Archaeologist. Site investigation works have been carried out on the land allocated for Plots 7 & 8 and the results are expected in an evaluation report. The County Archaeologist has advised that a condition is required to ensure that the development is carried out in accordance with the latest WSI. In view of the comments provided by the County Archaeologist and the similar conditions attached to the previous planning permissions I can see no grounds to raise an objection to this scheme in terms of archaeological assets.

#### 4.28 Ecological implications

4.29 The application is accompanied by an ecological report which focuses on the northern part of the site to be occupied by Plots 7 & 8. The report, following an on-site assessment, concludes that the site is of relatively low ecological value (being until recently mown garden land), but with potential to support protected and notable species of breeding birds and buildings and habitat suitable for bats, reptiles and hedgehogs. The report says that the site provides opportunities for biodiversity enhancement and to create new habitats. Several recommendations are made in the report which is also supported by a bat box plan which advise the placement of several bird and boxes within the wider site.

- 4.30 Hertfordshire Ecology have not responded to consultation with any request for conditions or informatives. However, it is clear that there is an opportunity for wildlife enhancement in line with NPPF advice should the recommendations in the ecology report be followed through (8 in total) . It is recommended that a condition is attached to require the development to be carried out in accordance with the recommendations and mitigations set out in the submitted ecology report together with the implementation of the bird and bat box plan.
- 4.31 Flood risk and drainage
- 4.32 Because of the scale of the previously approved schemes the Lead Local Flood Authority were not directly involved (as the developments fell below the 'Major' development threshold of 10 dwellings). The current application does now require the input of the flood authority and whilst happy with some elements of the scheme, the authority have raised an objection to the proposed drainage strategy . Revised information has been provided to the LLFA and a further comment is awaited from the authority. Although the site is within Flood Zone 1 where there is the lowest risk of flooding there are some elements of the scheme in respect of the lack of sustainable urban drainage options that the LLFA are not satisfied with and require further justification. Clearly this is a technical matter but one which does require resolution in order that the development overall will meet with the guidance set out in the NPPF which requires major applications to incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate.
- 4.33 The vast majority of the development is well advanced in terms of construction on site and it is clearly in the interest of both the developer and the wider community to ensure that the technical objection raised by the LLFA is resolved without delay. As such, I propose that any recommendation to grant planning permission is subject to the Lead Local Flood Authority withdrawing their objection and subject to any additional conditions that the authority requires. If the matter is not capable of resolution this application will be brought back to this Committee for further consideration.
- 4.34 Highway and parking issues
- 4.35 The main access into the site including road width, alignment and refuse vehicle tracking has already been agreed under the previous consents. This revised scheme retains much of the approved road layout but with an extension of the internal access road to reach the additional plots 7 & 8. The submitted details demonstrate that the largest refuse vehicle can access and turn around within the centre of the site and can adequately serve all of the dwellings including the new plots 7 & 8.
- 4.36 No objections are raised by the highway authority to the additional dwellings in terms of the impact on the highway network and recognises the submission of a Construction Traffic Management Plan. The authority has only requested detail on the tactile paving either side of the main bellmouth access. This detail has subsequently been submitted and has been approved as part of a Section 278 Highways agreement. As such it is considered acceptable and negates the requirement for the condition.

- 4.37 The development as now proposed provides 34 car parking spaces overall including visitor spaces. The parking provision meets the standards set out in the Council's Supplementary Planning document (Vehicle Parking at New Development 2011) as amended by Appendix 4 in the Emerging Local Plan. In terms of the Neighbourhood Plan Policy PNP 13 on car parking it is noted that 4 of the dwellings do not meet the 3 spaces per dwelling target (for 3 bed plus houses) however the provision of 5 visitor parking spaces assists in addressing this slight shortfall noting that Policy PNP 13 does not make any requirement for visitor parking. Furthermore, the width of the shared surface service road (7.6m) does allow for some on street parking in compliance with 13.2 of PNP 13.
- 4.38 Planning Obligations
- 4.39 The proposed development is under the threshold at which the Local Planning Authority can seek affordable housing (20 units for Policy 29A of the adopted local plan and 11 units for Policy HS2 of the Emerging Local Plan). In terms of developer contributions towards local infrastructure such as education and transport the Council's draft 'Developer Contributions Supplementary Planning Document (July 2021) expects developer contributions on sites over 10 units.
- 4.40 Climate change mitigation
- 4.41 To assist in achieving the aims to mitigate and adapting to climate change Electric vehicle car charging points will be installed at each of the proposed dwellings. The site is also in a sustainable location close to the centre of the village and village facilities including bus services and close to a network of public footpaths and as such residents and visitors will be encouraged to promote sustainable transport modes.
- 4.42 Planning balance and conclusion
- 4.43 The Local Planning Authority is not able to demonstrate a five year housing land supply (as of 1<sup>st</sup> April 2021 this figure is 1.47 years supply) and this application is for the delivery of housing within the defined village boundary of a Category 'A' village as designated in the Emerging Local Plan. The proposals do not exceed the 30 housing unit limit on any one development site as identified in Policy PNP 1 of the Neighbourhood Plan. This delivery of housing in a sustainable location carries substantial weight in the planning balance.
- 4.44 This development would have a neutral impact on heritage assets in my assessment. Even there were to be considered some harm to designated heritage assets this harm would be less than substantial and outweighed by the public benefit of the delivery of housing.
- 4.45 There are economic and social benefits through the provision of additional housing and employment during construction as well as continued and improved use of local services and facilities. In terms of the environmental perspective there is potential to

enhance the biodiversity of the site through a detailed landscape scheme and ecological mitigation measures.

- 4.46 The proposed development is considered to comply with both the adopted and emerging local plan, the policies set out in the National Planning Policy Framework as a whole and would also generally comply with policies in the Pirton Neighbourhood Plan. Given that there is no significant harm to protected assets which provide a clear reason for refusal the tilted balance as set out in paragraph 11 (d) of the Framework applies and accordingly planning permission should be granted.

### **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 to the resolution of the objection from the Lead Local Flood Authority and 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 the first occupation of the development hereby permitted the vehicular access shall be provided and thereafter retained at the position shown on the approved

Means of Access drawing

number ST-2596-01- revision E. 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.

4. Prior to the first occupation of the development hereby permitted a visibility splay measuring 2.4 x 43 metres shall be provided to each side of the access where it meets the highway and such splays shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

Reason: To ensure construction of a satisfactory development and in the interests of highway safety

5. The development shall be carried out in accordance with the Construction Management Plan approved under discharge of condition application ref: 20/02326/DOC and the submitted Construction Management Plan and accompanying plan

Reason: In the interests of highway safety and the control of environmental impacts.

6. The following ecological mitigation measures are to be observed during the construction phase:
  - Vegetation and building clearance works should only occur between the months of September and February inclusive to avoid impacts on breeding birds. Where this timing is not feasible works should be preceded by a nesting bird check.
  - If one or more bats are found once works have commenced, work must cease immediately and a licenced bat ecologist consulted.
  - Ivy should be removed from any tree which is proposed to be felled during the development process as soon as possible, to restrict potential opportunities for roosting bats.
  - During construction, any trenches on site should be covered at night or have mammal ramps to ensure that any animals that enter can safely escape - this is particularly important if holes fill with water. It is also possible to provide enhancements for hedgehogs by making small holes within any boundary fencing to enable foraging hedgehogs to be able to pass freely through the site.

Reason: To ensure that the construction of the proposed development causes minimal disruption to species of local and/or national importance.

7. The development shall be carried out in accordance with the recommendations and mitigation measures set out in the submitted Preliminary Ecological Appraisal (2021) by MKA Ecology and the submitted Bird and Bat box Plan (June 2021) by MKA Ecology. The bird/bat boxes shall be installed on site no later than 6 months following the first occupation of the development and retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To secure biodiversity enhancements in line with the National Planning Policy Framework

8. Prior to the occupation of the development hereby permitted a sensitive lighting scheme shall be submitted to and approved in writing by the Local Planning Authority to allow for suitable roosting and foraging areas for bats within the site with maximum use of down lighting and hoods where necessary. The development shall be carried out in accordance with the approved scheme.

Reason: To ensure that the construction and occupation of the proposed development causes minimal disruption to species of local and/or national importance.

9. 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.

10. The development of this site shall be carried out in accordance with the details approved under discharge of condition application ref: 20/02525/DOC

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.

11. Prior to occupation, each of the 10 proposed new dwellings shall incorporate an Electric Vehicle (EV) ready domestic charging point.

Reason: To contribute to the objective of providing a sustainable transport network and to provide the necessary infrastructure to help off-set the adverse impact of the operational phase of the development on local air quality.

12. The demolition/development shall take place/commence in accordance with the programme of archaeological works set out in the document '17 Walnut Tree Road, Pirton: Archaeological Mitigation Written Scheme of Investigation' by Headland Archaeology for Blakeney Estates Ltd., ver 2.0, October 2020 and the submitted 'Written Scheme of Investigation for Migration of Plots 7 & 8 ' (July 2021) by Headland Archaeology.

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

13. 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 Investigations referred to in condition 12 and the

provision made for analysis and publication where appropriate.

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

14. 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.

15. With the exception of plots 7 & 8 located in the northern part of the site and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended no development as set out in Classes A, B and E of Part 1 of Schedule 2 to the Order, (or any subsequent Statutory Instrument which revokes, amends and/or replaces those provisions) shall be carried out without first obtaining a specific planning permission from the Local Planning Authority.

Reason: Given the nature of this development, the Local Planning Authority considers that development which would normally be "permitted development" should be retained within planning control in the interests of the character and amenities of the area.

16. Notwithstanding the approved plans, the following windows relating to the development hereby permitted shall be permanently glazed with obscure glass and restricted opening mechanism unless otherwise agreed in writing with the Local Planning Authority:

- First floor window on Plot 4 side left elevation;
- First floor window on Plots 2 and 5 side right elevation;

Reason: To safeguard the privacy of the occupiers of neighbouring residential properties.

**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. 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.
2. 1) EV Charging Point Specification:  
A charging point shall be installed by an appropriately certified electrician/electrical contractor in accordance with the following specification. The necessary certification of electrical installation should be submitted as evidence of

appropriate installation to meet the requirements of Part P of the most current Building Regulations.

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

- 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>

HIGHWAY INFORMATIVES:

AN1) Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence.

Further information is available via the website:

<http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.

AN2) Parking and Storage of materials: The applicant is advised that all areas for parking, storage, and delivery of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website:

[https://www.hertfordshire.gov.uk/services/highways-roads-and-](https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-inf)

[pavements/business-and-developer-inf](https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-inf)  
[ormation/development-management/highways-development-management.aspx](https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-inf)  
or by telephoning 0300 1234047.

AN3) Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of

the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.

AN4) 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 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.

AN6) The Public Right of Way should remain unobstructed by vehicles, machinery, materials, tools and any other aspects of the construction during works. The safety of the public using the route and any other routes to be used by construction traffic should be a paramount concern during works, safe passage past the site should be maintained at all times. The condition of the route should not deteriorate as a result of these works. Any adverse effects to the surface from traffic, machinery or materials (especially overspills of cement & concrete) should be made good by the applicant to the satisfaction of this Authority. All materials should be removed at the end of the construction and not left on the Highway or Highway verges.

If the above conditions cannot reasonably be achieved, then a Temporary Traffic Regulation Order would be required to close the affected route and divert users for any periods necessary to allow works to proceed. A fee would be payable to Hertfordshire County Council for such an order. Further information on the rights of way network is available via the website. Please contact Rights of Way, Hertfordshire County Council on 0300 123 4047 for further information in relation to the works that are required along the route including any permissions that may be needed to carry out the works.

[https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/countryside-access/rights-of-way/rights-of-way.aspx#DynamicJumpMenuManager\\_1\\_Anchor\\_8](https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/countryside-access/rights-of-way/rights-of-way.aspx#DynamicJumpMenuManager_1_Anchor_8)