

General	
<u>Location:</u>	Land Rear Of 33 High Street Graveley Hertfordshire SG4 7LA
<u>Applicant:</u>	Mr Joshi
<u>Proposal:</u>	Erection of four detached 4-bed dwellings, including parking, landscaping and creation of vehicular access off Turf Lane (as amended by plans received 21/08/2023).
<u>Ref. No:</u>	23/01392/FP
<u>Officer:</u>	Ben Glover

Date of expiry of statutory period: 16 August 2023

Extension of statutory period: 16 February 2023

Reason for Delay: Negotiations of amendments to the proposed development and in order to present the application to an available committee meeting

Reason for Referral to Committee: The application has been called in by Cllr Dominic Griffiths if minded to approve for the following reason:

"I would like to call this in. In terms of reasons, having visited the location I found that the path/track into where the dwellings would be to wholly unsuitable and in need of substantial widening (almost impossible due to the houses on either side) in order to even get lorries in to build the houses."

1.0 **Site History**

1.1 No planning history.

2.0 **Policies**

2.1 **National Planning Policy Framework (2023)**

Section 2 – Achieving sustainable development

Section 5 – Delivering a sufficient supply of homes

Section 8 – Promoting healthy and safe communities

Section 9 – Promoting sustainable transport

Section 11 – Making well-designed places

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

2.2 North Hertfordshire Draft Local Plan 2011-2031

SP1 – Sustainable development in North Herts
SP2 – Settlement Hierarchy and Spatial Distribution
SP6 – Sustainable transport
SP9 – Design and Sustainability
SP11 – Natural resources and sustainability
SP12 – Green infrastructure, landscape and biodiversity
SP13 – Historic Environment
D1 – Sustainable Design
D3 – Protecting Living Conditions
T1 – Assessment of transport matters
T2 – Parking
NE2 – Landscape
NE4 – Biodiversity and geological sites
HE1 – Designated Heritage Assets

2.3 Supplementary Planning Document

Vehicle Parking at New Development SPD (2011)

3.0 Representations

3.1 Site Notice:

Start Date: 29/06/2023

Expiry Date: 22/07/2023

3.2 Press Notice:

Start Date: 29/06/2023

Expiry Date: 22/07/2023

3.3 Neighbouring Notifications:

15 representations have been received of which 13 are objections and 2 are neutral. A petition to the proposed development has been received containing 20 signatures. The comments are summarised below and can be viewed in full on the NHC website:

Objections:

- Site is outside the village core and not offered as a potential site within the Local Plan.
- The access and egress at the site would be dangerous to cyclists, horse riders, and pedestrians emerging from the bridleway adjacent to the site.
- Access from Oak Lane onto Turf Lane is on a blind bend.
- The proximity of the new houses would harm neighbouring amenity through overlooking, loss of light, and loss of privacy.
- Overcrowding within the village.
- No need for more large homes.
- Traffic concerns.
- Loss of wildlife and habitat on the site.
- Trees have already been felled on site.
- Not enough infrastructure in the village to meet needs.
- Overdevelopment of the area and Graveley.
- Inconvenience and psychological impacts of the development works.
- Noise disruption from the development.

- No dedicated passing point.

Neutral:

- Request conditions to ensure use of swift and bat boxes.

3.4 **Parish Council / Statutory Consultees:**

Ecology – No objection subject to conditions.

Graveley Parish Council – Objection.

Environmental Health (Air Quality) – No objection subject to conditions and informatives.

Environmental Health (Noise) – No objection subject to informatives.

Environmental Health (Contaminated Land) – No objection subject to condition.

Waste and Recycling – No objection.

HCC Highways – No objection subject to conditions and informatives.

Archaeology – No objection subject to conditions.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 The application site is located to the rear of No. 33 High Street, Graveley within an area of land that formed part of the rear garden to that property but is currently separate from the residential garden in use by No. 33. The land in question is overgrown and unmanaged. The site is also bound by mature vegetation.
- 4.1.2 No. 33 High Street, also known as Fife House, is a Grade II Listed Building situated within the Graveley Conservation Area. The application site is situated to the west of No. 33 and is outside the Conservation Area.
- 4.1.3 The application site falls within the Graveley village boundary and is not within the Green Belt.
- 4.1.4 The site backs on to properties along Oak Lane and Turf Lane. These properties are a mixture of single storey terraced bungalows and two storey terraced dwellings.
- 4.1.5 To the west of the application site is the village edge and agricultural land. A bridleway runs along the western boundary of the application site linking Turn Lane to Graveley Lane.

4.2 Proposal

4.2.1 Planning permission is sought for the erection of four detached 4-bed dwellings. The proposal includes parking, landscaping, and the creation of a vehicular access off Turn Lane.

4.2.2 The development would also include the provision of garden offices and cycle storage to Plots 1 and 2. Each plot would be constructed with an air source heat pump and bin storage. Each plot would also feature three off-street car parking spaces and private garden space.

4.3.3 Amended plans have been submitted with the following changes made to the scheme:

- Alterations to the site access to address Highways concerns.
- Addition of air source heat pump to each dwelling proposed.
- The hipping of the roof form to both Plots 3 & 4, replacing the originally proposed gable roof form.

4.3 Key Issues

4.3.1 The key issues for consideration are as follows:

- The principle of residential development in this location.
- The design and appearance of the proposed development and its impact on the locality.
- The standard of amenity for future occupiers of the proposed development.
- The impact of the proposed development upon nearby neighbouring occupiers.
- The impact of the development upon parking and highways safety.
- The sustainability of the proposed development.
- Impact of the development upon Ecology and Biodiversity.
- Other considerations including landscaping and climate change.

Principle of Development:

4.3.2 The application site lies within the village boundary of Graveley. Local Plan Policy SP2 supports new development within the defined settlement boundaries of Category A villages. Graveley is identified as a Category A village within Policy SP2.

4.3.3 The application site is therefore considered to be within a sustainable location and the principle of residential development is considered acceptable as per Policy SP2 of the Local Plan.

Impact on Designated Heritage Assets:

4.3.4 The application site is situated outside of the Graveley Conservation Area, which runs along the eastern boundary of the site. The application site is also neighboured to the east by Fife House, a Grade II Listed Building, situated approximately 50m from the shared boundary. Section 66 (1) of the Planning (Listed Building and Conservation Areas) Act 1990 stipulates that in considering whether to grant planning permission for development which affects a listed building or its setting special regard shall be had to the desirability of preserving the building or its setting.

4.3.5 Paragraph 201 of the National Planning Policy Framework (NPPF) sets out that Local Planning Authorities should identify and assess the particular significance of any heritage

asset that may be affected by a proposal, including by development affecting the setting of a heritage asset.

- 4.3.6 Paragraph 203 c) of the NPPF states *“In determining applications, local planning authorities should take account of: the desirability of new development making a positive contribution to local character and distinctiveness”*
- 4.3.7 Local Plan Policy SP13 indicates that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight shall be given to the asset’s conservation and the management of its setting. This reflects Paragraph 205 of the NPPF which states *“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.”*
- 4.3.8 Paragraph 206 of the NPPF states *“Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.”*
- 4.3.9 Local Plan Policy HE1 seeks to weigh the public benefits of a proposal against the harm and this reflects paragraph 208 of the NPPF which states, *“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”*
- 4.3.10 As above, the application site is not within a Conservation Area. However, it is within the setting of the Graveley Conservation Area and Grade II listed Fife House.
- 4.3.11 The application site is a large plot approximately 92m wide. To the south of the site are groups of residential properties along Turf Land and Oak Lane. These neighbouring properties are not within the Graveley Conservation Area. The visibility of the site from Graveley High Street is very limited given high wall boundary treatments, mature vegetation, and existing residential properties. The application site is beyond the rear garden to the Grade II listed Fife House. Fife House is within the village and its context is that of residential development around it. Therefore, the proposed residential development would not fundamentally alter the residential setting of the listed building. Nevertheless, this is former garden land to the listed building and is understood to be in the same ownership currently. The application site is overgrown, no longer used as garden in association with the listed building and is some distance from the building. Therefore, the effect of the proposal is limited. However, there would be some, limited, impact upon the heritage significance of the listed building through the loss of part of its former garden it would towards at the bottom of the spectrum of less than substantial harm. Therefore, the proposal falls to be assessed against Local Plan Policy HE1 and paragraph 208, which require this very low level of harm to be assessed against the public benefits of the proposal.
- 4.3.12 In conclusion on this matter, the application site is considered to have a limited visual relationship with the Conservation Area and Fife House. The impact the proposed development would have upon the setting of both the Conservation Area and Listed Building is considered to be limited but would result in less than substantial harm to heritage significance of the Grade II listed Fife House. Therefore, the public benefits of the proposed development should be weighed against this limited harm as required by Local Plan Policy HE1 and NPPF paragraph 208, which will be considered later in this report when addressing planning balance.
- Design and Appearance:

- 4.3.13 The objectives of the NPPF include those seeking to secure the creation of high quality, beautiful, and sustainable buildings and places (Section 12 – Achieving well-designed places). Paragraph 131 of the NPPF states that “*Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable communities*”.
- 4.3.14 Policy SP9 of the Local Plan sets out that good design is a key aspect of sustainable development, and that new development will be supported where it is well designed. Policy D2 of the Local Plan sets out that planning permission will be granted provided that the development proposal responds positively to the site’s local context and takes all reasonable opportunities to create or enhance public realm, reduce energy consumption and waste, and retain existing vegetation and propose appropriate new planting.
- 4.3.15 The locality consists of a mixture of single storey and two storey terraced dwellings along both Turf Lane and Oak Lane. Further to the east of the site are larger detached dwellings set in larger plots. To the north of the site is green space bound by mature vegetation. The land to the north of the application site is subject to a planning application for 26 dwellings (ref. 23/00186/FP).
- 4.3.16 The proposed development would consist of three house types. Plots 1 and 2 are a mirrored design with a gabled roof form, forward projecting gable, part render and part brick finish with aluminium windows.
- 4.3.17 Plots 3 and 4 are of the same two storey detached design. The dwelling type would feature a hipped roof form with a forward projecting hip. The development would also feature a single storey front and rear projection. The finish would be part render and part brick. Fenestration would be white aluminium frames.
- 4.3.18 Plots 1 and 2 would be the most prominent within the site given their siting to the front (west) of the plot and proximity to the site access and public highway. Plots 3 and 4 would be set much further back within the site from the access and visible from the existing road that runs along the north of properties along Turf Lane and Oak Lane.
- 4.3.19 The design, materials, and layout of the development is considered to be of an acceptable quality that would not result in any unacceptable harm and remain sympathetic to the local character of the area.

Impact on Neighbouring Amenity:

- 4.3.20 A core planning principle set out in the NPPF is to always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. This principle is reflected in the provisions of Policy D3 of the Local Plan.
- 4.3.21 Policy D3 of the Local Plan sets out that planning permission will be granted for development proposal which do not cause unacceptable harm to living conditions.
- 4.3.22 The application site is neighbored to the south by No. 8 Turf Lane, a single storey end of terrace bungalow that faces to the west. The site is also neighbored to the south by Nos. 18, 20, and 22 Oak Lane. Between No. 8 Turf Lane and 22 Oak Lane is a large block of single storey garages. To the east of the site is Fife House.
- 4.3.23 Given the separation between the proposed development and Fife House, no objection is raised to the impact the development would have upon the amenities of the neighbouring occupiers.

- 4.3.24 No. 8 Turf Lane and the application site are separated by an existing road that provides access to the garage block. Furthermore, No. 8 faces west and has no side facing fenestration. Plot 2 would be sited closest to No. 8 Turf Lane. The proposed dwelling would be set back from the rear elevation of the neighbouring property and also face west.
- 4.3.25 Considering the separation distance between Plot 2 and No. 8 Turf Lane along with the orientation of both properties, it is considered that the proposed development would not result in any unacceptable harm to the amenities of the neighbouring occupiers. The first-floor side facing window facing in the direction of No. 8 is shown as obscure glazed on plan. This obscure glazing can be secured by condition to safeguard the amenities of neighbouring occupiers.
- 4.3.26 Plot 4 would sit approximately 2.6m off the party boundary with Nos. 18, 20, and 22 Oak Lane. The distance between the side elevation of Plot 4 and the rear elevations of the properties along Oak Lane would be approximately 12m. The eaves height of Plot 4 would be approximately 5.1m. The roof ridge would measure approximately 8.1m in height.
- 4.3.27 The neighbouring properties to the south of Plot 4 are in close proximity to the proposed development.
- 4.3.28 However, Plots 3 and 4 would both feature hipped roof forms. This has been amended from the originally proposed gabled roof forms. It is considered that the hipped roof form would reduce impact of Plot 4 upon the outlook from three properties along Oak Lane.
- 4.3.29 Furthermore, Plot 3 is situated to the north of the three Oak Lane properties. Given the path of the sun throughout the day, it is considered that the proposed development would not result in any unacceptable harmful reduction in light entering neighbouring properties.
- 4.3.30 Plot 3 would feature a first-floor side facing window in the direction of Nos. 18, 20, and 22 Oak Lane. This window is shown as being obscure glazed. This can be secured by condition to safeguard neighbouring privacy. No side facing ground floor fenestration is proposed.
- 4.3.31 In conclusion on this matter, whilst the proposed development would appear within the outlook from the neighbouring dwellings to the south of Plot 3, the proposed development would, on balance, not result in unacceptable loss of outlook. Given the orientation there would not be an unacceptable overshadowing effect upon these neighbouring dwellings. There the proposed development would comply with both local and national planning policies that seek to secure a good standard of amenity for all existing and future occupants of land and buildings.

Standard of Amenity for Future Occupiers:

- 4.3.32 The four dwellings proposed would exceed the minimum internal space standards as set out within the Nationally Described Space Standards document. The development would therefore comply with Policy D2 e).
- 4.3.33 Furthermore, each dwelling would benefit from a large private garden. Each property would benefit from sufficient storage space and access to natural light within the habitable rooms.

4.3.34 The proposed development would provide an acceptable standard of living for future occupiers.

Parking and Highways:

4.3.35 Each of the proposed new detached dwellings would benefit from three off-street car parking spaces. The development is therefore in compliance with local car parking standards.

4.3.36 Following amendments to the scheme, the Highways Authority have no objection to the proposed developments impact upon the safety of local highways subject to the inclusion of conditions and informatives.

Ecology and Biodiversity:

4.3.37 Following consultation with Hertfordshire Ecology, no objection has been raised to the proposed development subject to the inclusion of conditions and informatives.

4.3.38 It is noted that the development would include some biodiversity enhancements including swift boxes. Following consultation with Ecology, the provision of swift boxes would be supported but are considered insufficient to deliver a biodiversity net gain.

4.3.39 The application site is classified as a small site and is therefore not currently required to deliver at least a 10% biodiversity net gain under the Environment Act 2021.

4.3.40 It is recommended that conditions be included that would compensate any loss to biodiversity and ecology within the site following its development.

Environmental Implications:

4.3.41 Section 14 of the NPPF sets out how the planning system should support the transition to a low carbon future. The principles set out in Section 14 are reflected in Policy D1 of the North Herts Local Plan, which sets out that development proposal should take all reasonable opportunities to reduce energy consumption and waste, retain existing vegetation and propose new appropriate planting, and future proof for changes in technology and lifestyle.

4.3.42 The proposed development, would incorporate sustainable technologies including the provision of air source heat pumps for each of the four dwellings. The development would also be provided with EV charging points as per Building Control regulations. Furthermore, given the limited scale of the development, the proposal is considered to be generally in compliance with Section 14 of the NPPF and Policy D1 of the Local Plan.

4.4 Planning Balance and Conclusion

4.4.1 Residential development in this location is considered acceptable in principle. The design and layout of the scheme would be acceptable and there would be no harm to the setting of the Graveley Conservation Area or the character of the area.

4.4.2 There would be less than substantial harm to the heritage significance of the Grade II listed Fife House, through the loss of former garden land. Therefore, the acceptability of the proposal is dependent upon providing public benefits. There would be public benefits arising from the delivery of 4 dwellings which would assist in maintaining the vitality of Graveley. There would be economic benefits arising from the construction and fitting out of the dwellings and the contribution of future occupiers to the local economy.

There would be social benefits arising from the delivery of four new homes for families. It is considered that the public benefits of the proposal would outweigh the less than substantial harm to the heritage significance of Fife House through development within its setting. Therefore, it is considered that the proposal would not conflict with Local Plan Policy HE1 and the aims of relevant policies in the NPPF that seek to conserve and enhance the historic environment.

4.4.3 The development would also not result in unacceptable harm to neighbouring amenity given the design amendments and siting to the north of nearby occupiers. The development would also be acceptable on highways safety grounds and provide sufficient off-street car parking for future occupiers.

4.4.2 It is considered that the proposed development would result in an acceptable form of development that would comply with the policies set out within the North Hertfordshire Local Plan and the provisions set out within the National Planning Policy Framework.

5.0 **Alternative Options**

5.1 None applicable

6.0 **Pre-Commencement Conditions**

6.1 I can confirm that the applicant agrees to the pre-commencement conditions that are proposed.

7.0 **Legal Implications**

7.1 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.

8.0 **Recommendation**

8.1 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 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 and to comply with Policy D1 of the North Hertfordshire Local Plan 2011 to 2031.

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

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

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

- the phasing of construction and proposed construction programme.
- the methods for accessing the site, including wider construction vehicle routing.
- the numbers of daily construction vehicles including details of their sizes, at each phase of the development.
- the hours of operation and construction vehicle movements.
- details of any highway works necessary to enable construction to take place.
- details of construction vehicle parking, turning and loading/unloading arrangements clear of the public highway.
- details of any hoardings and how visibility splays will be maintained.
- management of traffic to reduce congestion.
- control of dirt and dust on the public highway, including details of the location and methods to wash construction vehicle wheels.
- the provision for addressing any abnormal wear and tear to the highway.
- waste management proposals.
- Provision of sufficient on-site parking prior to commencement of construction activities;
- Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
- 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 and remaining road width for vehicle movements.

Reason: To minimise the impact of the construction process on the on local environment and local highway network in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

6. Prior to the occupation/use of the development hereby permitted, the details of the siting, type and specification of EVCPs shall be submitted to and approved in writing by the Local Planning Authority. All EVCPs shall be installed in accordance with the approved details prior to occupation of each of the units and permanently maintained and retained.

Reason: To ensure construction of a satisfactory development and to promote sustainable development in accordance with Policies 5, 19 and 20 of Hertfordshire's Local Transport Plan (adopted 2018)

7. Prior to the first occupation/use of the development hereby permitted the vehicle access, access road and car parking layout shall be installed in accordance with the approved detailed technical plans and thereafter retained and maintained at all times at the position shown. 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. (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.

9. A) 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 required by the 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.

B) 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 (A)

C) 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 (A) and the provision made for analysis and publication where appropriate.

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

10. Prior to commencement, landscape details shall be submitted to and approved in writing by the Local Planning Authority. Details shall include the following:

- a) which, if any, of the existing vegetation is to be removed and which is to be retained;
- 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;
- d) details of any earthworks proposed.

Reason: To ensure a satisfactory appearance to the completed development in accordance with Policy NE2 of the North Hertfordshire Local Plan and achieve biodiversity net gains in accordance with Policy NE4.

11. The development hereby approved shall incorporate one swift box/brick per dwelling and one bat box/brick per dwelling. Once installed, the Box/Brick shall be maintained in perpetuity.

Reason: To ensure the proposal has regard for wildlife and contributes to net gains in biodiversity, in line with Policy NE4 of the Local Plan.

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. In order to protect breeding birds, their nests, eggs and young, development should only be carried out during the period October to February inclusive. If this is not possible then a pre-development (i.e. no greater than 48 hours before clearance 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 birds have left the nest or professional ecological advice taken on how best to proceed.
2. Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.
3. Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> telephoning 0300 1234047.
4. 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.
5. 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/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.
6. The Public Right of Way(s) should remain unobstructed by vehicles, machinery, materials, tools and any other aspects of the construction during works. Safe passage

past the site should be maintained at all times for the public using this route. 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 the Highway Authority. No materials shall be stored or left on the Highway including Highway verges. If the above conditions cannot reasonably be achieved, then a Temporary Traffic Regulation Order (TTRO) would be required to close the affected route and divert users for any periods necessary to allow works to proceed, for which a fee would be payable to Hertfordshire County Council. Further information is available via the County Council website at <https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/countryside-access/rightsofway/rights-of-way.aspx> or by contacting Rights of Way, Hertfordshire County Council on 0300 123 4047.

7. Highway to remain private: The applicant is advised that all new highway routes within the development site are likely to remain unadopted and the developer should put in place a permanent arrangement for long term maintenance. At the entrance of the new estate the road name plate should indicate that it is a private road to inform purchasers of their future maintenance liabilities. 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

8. Environmental Health Informative:

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.

9. Environmental Health Informative:

During the construction works 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.