



NORTH HERTFORDSHIRE DISTRICT COUNCIL

DECISION NOTICE

Correspondence Address:

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Applicant:

Mrs S Virji

PARTICULARS OF DEVELOPMENT

Application: 19/01416/HYA

Proposal: Development A - Full planning application comprising : Phase 1 - construction of a five storey block containing 37 x one bedroom apartments (affordable retirement living tenure), ground floor supermarket (Class A1) and hot food takeaway unit (Class A5) and Phase - 2 construction of two x four storey residential apartment blocks containing 24 x one bedroom apartments (affordable rent and affordable living tenure) and 6 x one bedroom and 16 x two bedroom apartments (open market housing) together with associated vehicular and pedestrian access, car parking, landscaping and ancillary works, following demolition of existing buildings.

Development B - Outline planning application comprising: Phase 3 - the erection of 32 x one and two bedroom apartments and 14 x three bedroom houses (open market housing) following demolition of existing buildings. Matters of appearance, landscaping, and scale are reserved.

Location: Land At 25-35 John Baker Place And 1-36, Freemans Close, Hitchin, Hertfordshire,

Plan Nos: APL100A APL101A AP102 APL103E M9544_AP103
APL104E M9544_APL104E APL200B APL201 APL202
APL203 APL204 APL210 APL212 APL213 APL214
AEL300 AEL301 AEL302 AEL306 AEL307 AEL308
AEL303A

PARTICULARS OF DECISION

In pursuance of its powers under the above Act and the associated Orders and Regulations, the Council hereby **GRANT PERMISSION** for the development proposed by you in your application received with sufficient particulars on 2 July 2019, subject to the following condition(s):

Development A - Full planning application comprising : Phase 1 - construction of a five storey block containing 37 x one bedroom apartments (affordable retirement living tenure), ground floor supermarket (Class A1) and hot food takeaway unit (Class A5) and Phase - 2 construction of two x four storey residential apartment blocks containing 24 x one bedroom apartments (affordable rent and affordable living tenure) and 6 x one bedroom and 16 x two bedroom apartments (open market housing) together with associated vehicular and pedestrian access, car parking, landscaping and ancillary works, following demolition of existing buildings.

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 submitted details and prior to the commencement of the relevant phase precise details of the external materials, including windows, for phases 1 and 2, shall be submitted to and approved in writing by the Local Planning Authority.

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. The development shall not begin until a scheme for the provision of at least 40% affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in the NPPF or any future guidance that replaces it. The scheme shall include:

- the numbers, type and tenure on the site of the affordable housing provision to be made;
- the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Occupation of the development hereby permitted shall thereafter be undertaken in accordance with the approved affordable housing scheme unless otherwise agreed in writing by the Local Planning Authority.

This condition shall not be binding on: -

a mortgagee or chargee (or any receiver (including an administrative receiver) appointed by such mortgagee or chargee or any other person appointed under any security documentation to enable such mortgagee or chargee to realise its security or any administrator (howsoever appointed) including a housing administrator (each a Receiver)

of the whole or any part of the affordable dwellings or any persons or bodies deriving title through such mortgagee or chargee or Receiver PROVIDED THAT such mortgagee or chargee (or any receiver appointed thereby) or administrator (howsoever appointed) including a housing administrator acting pursuant to any event of default shall first give written notice to the Council of its intention to dispose and shall have used reasonable endeavours over a period of twelve weeks from the date of the written notice to dispose of the affordable housing unit(s) to another registered social landlord or to the council for a consideration not less than the amount due and outstanding to the mortgagee or chargee under the terms of the mortgage or charge including all accrued principal monies, interest and costs and expenses incurred by the mortgagee or chargee in respect of the mortgage or charge. If such disposal has not taken place within the twelve week period, the mortgagee, chargee or receiver shall be entitled to dispose of the affordable housing unit(s) free from the affordable housing provisions in this Planning Permission which shall determine absolutely.

Reason: To ensure that the dwellings hereby permitted are occupied in accordance with the terms of the submitted application and to accord with the Council's policies with regard to affordable housing

5. The development hereby permitted shall be carried out in accordance with the noise mitigation measures (glazing and ventilation performance) detailed in the submitted 'Noise Assessment for John Barker Place, Hitchin' (dated 31st October 2019) by Resound Acoustics Limited and Appendix A of Technical Note, "John Barker Place Hitchin - Glazing Assessment", Reference RA00639-TN1 dated 27 November 2019 by Resound Acoustics. Once implemented the development the scheme of measures shall be maintained in accordance with the details in perpetuity.

Reason: To protect the residential amenity of future residents within the relevant phase of the development.

6. The development hereby permitted shall be carried out and operated in accordance with the measures set out in the submitted Residential and Retail Travel Plans (Paul Basham Associates, dated November 2019). The travel plans shall be made available for inspection in the future by the local planning authority upon receipt of a written request to do so.

Reason: To ensure the scheme is operated in accordance with an agreed travel plan in the interests of promoting sustainable travel.

7. 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
 - o Landscape maintenance arrangements

Reason: To safeguard the appearance of the completed scheme

8. 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.

9.
 - (a) No development (excluding demolition) 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
 - (b) 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 (a), above; has been submitted to and approved by the Local Planning Authority.
 - (c) 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 (b) 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.

(d) Any contamination, other than that reported by virtue of condition (a) 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.

10. (a) Prior to occupation, each apartment block, shall incorporate one EV ready domestic charging point for between 5 - 10 apartments and these shall be made available to its residents and managed and maintained by the management company(ies) appointed as responsible for each apartment block.

OR

(b) Prior to occupation, a contract shall be entered into with a private provider to operate an EV car club for the residents of the apartment blocks for a period, scope and a level of provision to be agreed in writing with the LPA.

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.

11. Prior to the commencement of the development hereby permitted full and specific details of the energy reduction and efficiency measures to be installed in Phases 1 and 2 of the development hereby approved 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: To ensure that the development is in accordance with local and national policies aimed at mitigating the environmental impacts of development and adapting to climate change.

12. No hard-standing areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent environmental and amenity problems arising from flooding.

13. Prior to its installation and operation full details of the fume extraction equipment for the proposed Class A5 takeaway unit proposed within Phase I 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 residential amenity.

14. The opening hours of the retail uses within the development shall be restricted to between 0630 hours and 23.00 hours on any day.

Reason: In the interests of residential amenity

15. Prior to the first occupation of the development hereby permitted the vehicular accesses (indicated for improvement on drawing number 1000.0005.006 Rev C Extent of Highway Boundary) shall be upgraded in accordance with the Hertfordshire County Council residential construction specification for the first 10 metres as measured back from the near channel edge of the adjacent carriageway. Prior to use arrangements 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 construction of a satisfactory access and in the interests of highway safety, traffic movement and amenity in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

16. Before the development is brought into use, signs in compliance with Diagrams 833/834/835/836 as set out in the Traffic Signs Regulations and General Directions 2002 (or any Order/Act revoking, amending or re-enacting those Regulations) shall be provided and thereafter retained at the means of ingress and egress in accordance with a scheme to be submitted to and approved by the Local Planning Authority.

Reason: In the interests of highway safety and traffic movement.

17. Prior to the first occupation of the development hereby permitted any Traffic Regulation Orders (TROs), including for parking restrictions / waiting restrictions / that are required as part of improving access and accessibility to the site must be secured in place and implemented.

Reason: In the interests of highway safety, amenity and capacity to ensure free and safe flow of traffic and to be in accordance with Policies 4, 5, 12, 15 and 17 of Hertfordshire's Local Transport Plan (adopted 2018).

18. No development shall commence 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.

Reason: To ensure satisfactory development and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard in accordance with Policies 5 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

19. No gate / door / ground floor window if installed shall open outwards over the highway.

Reason: In the interests of highway safety.

20. No development shall commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the local planning authority, in consultation with the Highway Authority. This should be based on the Hertfordshire's Construction Management Template available from <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development->

management/highways-development-management.aspx#managementplans. The development shall be carried out in accordance with the approved Construction Traffic Management Plan.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

21. The development hereby permitted shall not be occupied until the works to provide real Time Information screen and Kessel kerbs at the bus stop in Westmill Road, Real time information screen at the bus stop in East Milestone Road, Shelter, Kessel Kerbs, Real time information screens at the bus stop in Moss Way have been completed in accordance with the local planning authority's written approval and have been certified in writing as complete on behalf of the local planning authority; unless alternative arrangements to secure the specified works have been approved in writing by the local planning authority.

Reason: To ensure construction of a satisfactory development and that the highway improvement works are designed to an appropriate standard in the interest of highway safety and amenity and in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

22. Prior to first use of any external fixed plant and/or machinery, a scheme shall be submitted for approval to the Local Planning Authority to demonstrate that the plant noise limits detailed in Table 5.1 of "Noise Assessment for John Barker Place, Hitchin", Report reference RA00639-Rep1, dated October 2019 by Resound Acoustics, will not be exceeded when measured or calculated according to the provisions of BS4142:2014 (Method for rating and assessing industrial and commercial sound) and/or its subsequent amendments. The development shall be carried out in accordance with the approved scheme.

Reason: To protect the residential amenities of existing and future residents

23. Prior to the commencement of the development hereby approved a Site Waste Management Plan to include the details required by the Hertfordshire County Council's Minerals and Waste Policy team, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

Reason: The adopted Hertfordshire County Council Waste Core Strategy and Development Management Policies Development Plan Document 2012

24. Notwithstanding the submitted details and prior to the first occupation of the development hereby approved further details of residential and visitors cycle parking 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: To ensure the provision of cycle parking spaces in line with the Council's

adopted standards contained in Policy 1 and 5 of the Hertfordshire's Local Transport Plan 4 and in accordance with the North Hertfordshire's parking standards.

25. The development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment and Drainage Strategy - Addendum, Ref: 1809-217, Rev -, A and B, prepared by Ingent Consulting Engineers and the Phase 1 & 2 Drainage Strategy Drawing, dated 06.12.2019, Rev B, prepared by Ingent Consulting Engineers and the following mitigation measures:
1. Provide 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% for climate change event (minimum 329.4m³).
 2. Implement drainage strategy based on lined permeable paving with sub-base and perforated pipes, attenuation crates and restricted discharge at 5l/s into the surface water sewer.

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

26. 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 - Addendum, Ref: 1809-217, Rev -, A and B, prepared by Ingent Consulting Engineers and the Phase 1 & 2 Drainage Strategy Drawing, dated 06.12.2019, Rev B, prepared by Ingent Consulting Engineers. The scheme shall also include:
1. Detailed engineered drawings of the proposed SuDS features including their location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling to ensure the scheme caters for all rainfall events up to and including the 1 in 100 year + 40% allowance for climate change event.
 2. Provision of half drain down times within 24 hours
 3. Silt traps for protection for any residual tanked elements.
 4. Demonstrate appropriate SuDS management and treatment and inclusion of above ground features such as permeable paving etc. for the paved areas and reducing the requirement for any underground storage.
 5. Provision of exceedance routes for events greater than the 1 in 100 year + climate change

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

27. Upon completion of the drainage works for the site and in accordance with the timing / phasing arrangement, 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:
1. Provision of complete set of as built drawings for site drainage.
 2. Maintenance and operational activities.
 3. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.

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

28. Development B - Before the development hereby permitted is commenced, approval of the details of the design and external appearance of the development and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained in writing from the Local Planning Authority.

Reason: To comply with the provisions of Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 as amended.

29. The development hereby permitted shall be carried out wholly in accordance with the details specified in the application and supporting, approved documents and plans, including the children's play area, together with the reserved matters approved by the Local Planning Authority, or with minor modifications of those details or reserved matters which previously have been agreed in writing by the Local Planning Authority as being not materially different from those initially approved.

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

30. The development shall not begin until a scheme for the provision of at least 40% affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in the NPPF or any future guidance that replaces it. The scheme shall include:
the numbers, type and tenure on the site of the affordable housing provision to be made;
the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Occupation of the development hereby permitted shall thereafter be undertaken in accordance with the approved affordable housing scheme unless otherwise agreed in writing by the Local Planning Authority.

This condition shall not be binding on: -

a mortgagee or chargee (or any receiver (including an administrative receiver) appointed by such mortgagee or chargee or any other person appointed under any security documentation to enable such mortgagee or chargee to realise its security or any administrator (howsoever appointed) including a housing administrator (each a Receiver) of the whole or any part of the affordable dwellings or any persons or bodies deriving title through such mortgagee or chargee or Receiver PROVIDED THAT such mortgagee or chargee (or any receiver appointed thereby) or administrator (howsoever appointed) including a housing administrator acting pursuant to any

event of default shall first give written notice to the Council of its intention to dispose and shall have used reasonable endeavours over a period of twelve weeks from the date of the written notice to dispose of the affordable housing unit(s) to another registered social landlord or to the council for a consideration not less than the amount due and outstanding to the mortgagee or chargee under the terms of the mortgage or charge including all accrued principal monies, interest and costs and expenses incurred by the mortgagee or chargee in respect of the mortgage or charge. If such disposal has not taken place within the twelve week period, the mortgagee, chargee or receiver shall be entitled to dispose of the affordable housing unit(s) free from the affordable housing provisions in this Planning Permission which shall determine absolutely.

Reason: To ensure that the dwellings hereby permitted are occupied in accordance with the terms of the submitted application and to accord with the Council's policies with regard to affordable housing.

31. The development hereby permitted shall be carried out in accordance with the noise mitigation measures (glazing and ventilation performance) detailed in the submitted 'Noise Assessment for John Barker Place, Hitchin' (dated 31st October 2019) by Resound Acoustics Limited and Appendix A of Technical Note, "John Barker Place Hitchin - Glazing Assessment", Reference RA00639-TN1 dated 27 November 2019 by Resound Acoustics. Once implemented the development the scheme of measures shall be maintained in accordance with the details in perpetuity.

Reason: To protect the residential amenity of future residents within the relevant phase of the development.

32. The development hereby permitted shall be carried out and operated in accordance with the measures set out in the submitted Residential and Retail Travel Plans (Paul Basham Associates, dated November 2019). The travel plans shall be made available for inspection in the future by the local planning authority upon receipt of a written request to do so.

Reason: To ensure the scheme is operated in accordance with an agreed travel plan in the interests of promoting sustainable travel.

33. (a) No development (excluding demolition) 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

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

(c) 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 (b) 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.

(d) Any contamination, other than that reported by virtue of condition (a) 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.

34. (a) Prior to occupation, each of the 14 town-houses, shall incorporate one Electric Vehicle (EV) ready domestic charging point.

(b) Prior to occupation the apartment block in Phase 3 shall incorporate one EV ready domestic charging point for every 10 apartments and these shall be made available to its residents and managed and maintained by the management company(ies) appointed as responsible for each apartment block.

OR

(c) Prior to occupation, a contract shall be entered into with a private provider to operate an EV car club for the residents of the apartment blocks for a period, scope and a level of provision to be agreed in writing with the LPA.

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.

35. Prior to the commencement of the development hereby permitted full and specific details of the energy reduction and efficiency measures to be installed in Phase 3 of the development hereby approved 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: To ensure that the development is in accordance with local and national policies aimed at mitigating the environmental impacts of development and adapting to climate change.

36. No hard-standing areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent environmental and amenity problems arising from flooding.

37. Prior to the first occupation of the development hereby permitted the vehicular accesses (indicated for improvement on drawing number 1000.0005.006 Rev C Extent of Highway Boundary) shall be upgraded in accordance with the Hertfordshire County Council residential construction specification for the first 10 metres as measured back from the near channel edge of the adjacent carriageway. Prior to use arrangements 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 construction of a satisfactory access and in the interests of highway safety, traffic movement and amenity in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

38. Before the development is brought into use, signs in compliance with Diagrams 833/834/835/836 as set out in the Traffic Signs Regulations and General Directions 2002 (or any Order/Act revoking, amending or re-enacting those Regulations) shall be provided and thereafter retained at the means of ingress and egress in accordance with a scheme to be submitted to and approved by the Local Planning Authority.

Reason: In the interests of highway safety and traffic movement.

39. The existing pedestrian access points from the application site leading to The Crescent shall be permanently maintained as part of the approved development unless otherwise approved in writing by the Local Planning Authority

Reason: In the interests of maintaining pedestrian permeability and integration with the surrounding residential environment

40. Prior to the first occupation of the development hereby permitted any Traffic Regulation Orders (TROs), including for parking restrictions / waiting restrictions / that are required as part of improving access and accessibility to the site must be secured in place and implemented.

Reason: In the interests of highway safety, amenity and capacity to ensure free and safe flow of traffic and to be in accordance with Policies 4, 5, 12, 15 and 17 of Hertfordshire's Local Transport Plan (adopted 2018).

41. No development shall commence 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.

Reason: To ensure satisfactory development and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard in accordance with Policies 5 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

42. No development shall commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the local planning authority, in consultation with the Highway Authority. This should be based on the Hertfordshire's Construction Management Template available from <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx#managementplans>. The development shall be carried out in accordance with the approved Construction Traffic Management Plan.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

43. 16. The development hereby permitted shall not be occupied until the works to provide real Time Information screen and Kessel kerbs at the bus stop in Westmill Road, Real time information screen at the bus stop in East Milestone Road, Shelter, Kessel Kerbs, Real time information screens at the bus stop in Moss Way have been completed in accordance with the local planning authority's written approval and have been certified in writing as complete on behalf of the local planning authority; unless alternative arrangements to secure the specified works have been approved in writing by the local planning authority.

Reason: To ensure construction of a satisfactory development and that the highway improvement works are designed to an appropriate standard in the interest of highway safety and amenity and in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

44. Prior to first use of any external fixed plant and/or machinery, a scheme shall be submitted for approval to the Local Planning Authority to demonstrate that the plant noise limits detailed in Table 5.1 of "Noise Assessment for John Barker Place, Hitchin", Report reference RA00639-Rep1, dated October 2019 by Resound Acoustics, will not be exceeded when measured or calculated according to the provisions of BS4142:2014 (Method for rating and assessing industrial and commercial sound) and/or its subsequent amendments.

Reason: to protect the residential amenities of existing and future residents

45. Prior to the commencement of the development hereby approved a Site Waste Management Plan to include the details required by the Hertfordshire County Council's Minerals and Waste Policy team, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

Reason: The adopted Hertfordshire County Council Waste Core Strategy and Development Management Policies Development Plan Document 2012

46. 19. The development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment and Drainage Strategy - Addendum, Ref: 1809-217, Rev -, A and B, prepared by Ingent Consulting Engineers and Phase 3 Drainage Strategy Drawing, dated 06.12.2019, Rev A, prepared by Ingent Consulting Engineers and the following mitigation measures:

1. Provide 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% for climate change event (minimum 462.9m³)
2. Implement drainage strategy based on lined permeable paving with sub-base and perforated pipes, attenuation crates and restricted discharge at 5l/s into the surface water sewer.

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

47. 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 - Addendum, Ref: 1809-217, Rev -, A and B, prepared by Ingent Consulting Engineers and the Phase 3 Drainage Strategy Drawing, dated 06.12.2019, Rev A, prepared by Ingent Consulting Engineers. The scheme shall also include:
1. Detailed engineered drawings of the proposed SuDS features including their location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling to ensure the scheme caters for all rainfall events up to and including the 1 in 100 year + 40% allowance for climate change event.
 2. Provision of half drain down times within 24 hours
 3. Silt traps for protection for any residual tanked elements.
 4. Demonstrate appropriate SuDS management and treatment and inclusion of above ground features such as permeable paving etc. for the paved areas and reducing the requirement for any underground storage.
 5. Provision of exceedance routes for events greater than the 1 in 100 year + climate change

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

48. Upon completion of the drainage works for the site and in accordance with the timing / phasing arrangement, 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:
1. Provision of complete set of as built drawings for site drainage.
 2. Maintenance and operational activities.
 3. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.

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

Proactive Statement:

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:

Informatives:

Environmental Informatives

1) 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>

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

In connection with all site demolition, 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.

Prior to the commencement of demolition of the existing building, a survey should be undertaken in order to identify the presence of asbestos containing materials.

Any asbestos containing materials should be handled and disposed of appropriately.

Where necessary this should include the use of licensed contractors and waste disposal sites licensed to receive asbestos.

Highway Informatives:

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 requirement as part of the offsite s278 works is to:

- o Upgrades to three access junctions in John Barker Place;
- o Provision of tactile paving at the junction of John Barker Place and Westmill Road;
- o new pedestrian crossing facility in John Barker Place;
- o Widening of the footway to a minimum of 2.5m or 3m along the John Barker Place and Matocke Road site's frontage;
- o Removal of any proposed lay-by parking o Pedestrian dropped kerbs and tactile paving across Westmill Road to access Milestone Road bus stop

The details should be included as part of the s278 drawing as part of the required highway work in conjunction with the development. 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

<http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

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.

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/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047

Signed:

Development Management
North Hertfordshire District Council



Council Offices
Gernon Road
Letchworth
Herts
SG6 3JF

Development & Conservation Manager

Date: 9 June 2020

The Council's Privacy Notice is available on our website: <https://www.north-herts.gov.uk/home/council-data-and-performance/data-protection/information-management-gdpr>

NOTES

- 1 **Failure to satisfy conditions may invalidate this permission and/or result in enforcement action. Particular attention should be paid to the requirements of any condition in bold.**

- 2 Circular 04/2008 (Planning Related Fees) states that where an application is made under Article 21 of the Town and Country Planning (General Development Procedure) Order 1995, a fee will be payable for any consent, agreement or approval required by condition or limitation attached to the grant of planning permission.

- 3 The fee is £116 per request or £34 where the permission relates to an extension or alteration to a dwellinghouse or other development in the curtilage of the dwellinghouse. No fee is required for applications resulting from a condition removing "permitted development rights".

The request can be informal through the submission of a letter or plans, or formal through the completion of an application form and the submission of plans. Any number of conditions may be included on a single request. The form is available on the Council's website:
www.north-herts.gov.uk/home/planning/planning-applications/submit-planning-application

- 4 If the development hereby permitted is one that will require a new postal address/es then please contact the Council's **street naming and numbering service** on 01462 474431 or email SNN@north-herts.gov.uk who will advise you on how to apply for the new address/es.

Any proposed sales and/or marketing name to be adopted by the developer should be forwarded to the **street naming and numbering service**, prior to any publication of the site details and sales information.

- 5 If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country

Planning Act 1990.

If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

6 **Purchase Notices**

If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

- 7 The District Council and County Highway Authority wish to ensure that, in the implementation of the development, hereby approved, the highway verge adjacent to the property is not damaged or does not become unsightly due to the stationing of skips, parking of vehicles, storing of building materials etc thereon. Your attention is, therefore, drawn to the provisions of Section 131 of the Highways Act 1980 and to the Hertfordshire County Council Bylaws 1955 (specifically relating to grass margins and verges in Letchworth Garden City) by virtue of which such actions, unless authorised by the prior grant of a licence, constitute a prosecutable offence. Persons responsible for undertaking the development and any associated works are,

therefore, strongly encouraged to take appropriate steps to ensure that no breach of the said legislation occurs during the course of such activities. In the event of any damage being caused it will be expected that suitable reinstatement is undertaken upon completion of the development. Failure to do so could also result in legal action being pursued. To obtain information regarding the issue of licences, contact Hertfordshire Highways, Hertfordshire County Council, County Hall, Pegs Lane, Hertford, SG138DQ or telephone 0300 1234 047.

THIS PLANNING PERMISSION DOES NOT CONSTITUTE APPROVAL UNDER BUILDING REGULATIONS AND IS NOT A LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT. IT DOES NOT CONVEY ANY APPROVAL OR CONSENT WHICH MAY BE REQUIRED UNDER ANY ENACTMENT, BY-LAW, ORDER OR REGULATION OTHER THAN SECTION 57 OF THE TOWN AND COUNTRY PLANNING ACT 1990.