



www.north-herts.gov.uk

NORTH HERTFORDSHIRE DISTRICT COUNCIL

Town and Country Planning Act 1990
Town and Country Planning (General Development Procedure) Order
2015

DECISION NOTICE

Correspondence Address:

Mr P Watson
Kingsbrook House
7 Kingsway
Bedford
MK42 9BA

Applicant:

Warden Developments Limited

PARTICULARS OF DEVELOPMENT

Application: 17/01464/1

Proposal: Outline application for a residential development for up to 83 dwellings (all matters reserved except access) (as amended by plans and documents received 4th January 2019 and 21st January 2022).

Location: Land Adjacent To Oaklea And South Of, Cowards Lane, Codicote, SG4 8UN

Plan Nos: 16-SK02A 2277-02D 22-03

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 8 June 2017 subject to the following condition(s):

1. The development hereby permitted shall be carried out wholly in accordance with the details specified in the application and supporting, approved documents and plans, 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.

2. **Before the development hereby permitted is commenced, approval of the details of the appearance, landscaping, layout and scale of the development (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.

3. **Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission, and the development hereby permitted shall be begun before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.**

Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

4. **Before commencement of the development, notwithstanding the details as shown on drawing number 2277-02 rev D (proposed access plan), a revised highway works/access plan shall be submitted to, and approved by, the Local Planning Authority (in consultation with the Highway Authority), which shows:**

- The provision of a hardsurfaced pedestrian route internally within the site of at least 2 metres width, running parallel to Cowards Lane (on its southern side for the full extent of the site boundary), with a hardsurfaced pedestrian link at the north-western terminal point of this onto the Cowards Lane carriageway, also of at least 2-metres width.

Reason: To ensure pedestrians are safely and suitably accommodated on the highway network, in accordance with paragraphs 110 - 112 of the NPPF (2021).

5. Prior to the 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' shall identify details of:
- o the phasing of construction and proposed construction programme.
 - o the methods for accessing the site, including wider construction vehicle routing.
 - o the numbers of daily construction vehicles including details of their sizes, at each phase of the development.
 - o the hours of operation and construction vehicle movements.
 - o details of any highway works necessary to enable construction to take place.
 - o details of construction vehicle parking, turning and loading/unloading arrangements clear of the public highway.
 - o details of any hoardings.
 - o details of how the safety of existing public highway users and existing public right of way users will be maintained.
 - o management of traffic to reduce congestion.
 - o control of dirt and dust on the public highway, including details of the location and methods to wash construction vehicle wheels, and how it will be ensured dirty surface water does not runoff and discharge onto the highway.
 - o the provision for addressing any abnormal wear and tear to the highway.
 - o the details of consultation with local businesses or neighbours.
 - o the details of any other Construction Sites in the local area.
 - o waste management proposals.
 - o signage

Reason: In the interests of highway safety, amenity and free and safe flow of traffic.

6. Prior to the commencement of the development the developer shall carry out a noise assessment in accordance with relevant guidance and standards and a scheme for sound insulation and noise control measures shall be submitted for the Council's written approval. The approved scheme shall be implemented in accordance with the approved details in order to achieve the following internal noise targets:
- Bedrooms (23.00 to 07.00hrs) 30 dB LAeq (8hour) and 45 dB LMax(f)
 - Living rooms (07.00 to 23.00hrs) 35 dB LAeq (16hour)
 - Dining room / area (07.00 to 23.00hrs) 40 dB LAeq (16 hours).
- Once implemented, the scheme of measures shall be maintained in accordance with the approved details.

Reason: To protect the residential amenities of future residents.

7. **Prior to the commencement of the permission hereby approved, a Site Waste Management Plan must be submitted to and approved in writing by the Local Planning Authority in conjunction with the Spatial and Land Planning Team at Hertfordshire County Council. The Site Waste Management Plan approved pursuant to this condition shall thereby be followed and implemented throughout the construction of the development hereby approved.**

Reason: To promote the sustainable management of waste in the county and minimise waste generated by development.

8. **No development shall take place until details of a scheme for the provision of fire hydrants to serve the relevant phases of the development has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority. The provision and installation of fire hydrants, at no cost to the County or Fire & Rescue Service.**

Reason: To ensure all proposed dwellings have adequate water supplies for in the event of an emergency.

9. **The landscape details to be submitted as reserved matters prior to the commencement of development 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 associated structures and equipment and any landscaping proposed

d) details of any earthworks proposed

e) an arboricultural impact assessment showing the condition of the existing trees, detailing which trees, if any, are to be removed and which are to be retained and what new trees are to be planted. A detailed scheme for the protection of existing trees and hedges to be retained and an accompanying programme for implementation of the scheme.

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

10. **Prior to commencement of development a survey of the habitats favoured by Roman snails should be undertaken by a suitably qualified Ecologist during May to August when the snails are in their optimum active period, and after recent rainfall, especially in warm, humid conditions. The subsequent report should provide mitigation, including licence requirement and details of translocation and a suitable receptor site, if required, and be submitted to the LPA for written approval prior to the commencement of development.**

Reason: To ensure to ensure protected species are protected from harm in accordance with national legislation and local policy.

11. **Before the commencement of any other works on the site, trees to be retained shall be protected by the erection of temporary chestnut paling or chain link fencing of a minimum height of 1.2 metres on a scaffolding framework, located at the appropriate minimum distance from the tree trunk in accordance with Section 4.6 of BS5837:2012 'Trees in relation to design, demolition and construction - Recommendations, unless in any particular case the Local Planning Authority agrees to dispense with this requirement. The fencing shall be maintained intact for the duration of all engineering and building works. No building materials shall be stacked or mixed within 10 metres of the tree. No fires shall be lit where flames could extend to within 5 metres of the foliage, and no notices shall be attached to trees.**

Reason: To prevent damage to or destruction of trees to be retained on the site in the interests of the appearance of the completed development and the visual amenity of the locality.

12. **Prior to the commencement of development an Energy and Sustainability Statement shall be submitted to and approved by the Local Planning Authority. The development hereby approved shall be constructed in accordance with the approved Energy and Sustainability Statement, unless agreed otherwise in writing by the Local Planning Authority, and the identified measures shall be maintained and retained thereafter.**

Reason: In order to provide a sustainable form of development, to reduce the carbon footprint of the development and in order to minimise the impact on Climate Change.

13. **The works shall not proceed without the formal acceptance of a detailed Travel Plan, where the content of the travel plan is fully assessed prior to approval of objectives and targets with local authority officers.**

The Travel Plan shall take account of the detailed guidance within the Air Quality and Planning Guidance, notably Tables 4 & 5, referencing the checklist in Appendix 5 and with reference to the Travel Plan Guidance' at www.hertsdirect.org .

- o The content of the travel plan shall be fully assessed prior to its approval in conjunction with local authority officers.**
- o The agreed targets and objectives included in the travel plan are secured for implementation by mutual agreement of the local authority and the developer/applicant (normally by means of a Section 106 agreement).**
- o The outputs of the travel plan (typically trip levels and mode split) are annually monitored against the agreed targets and objectives.**
- o Should the travel plan not deliver the anticipated outputs or meet the targets and objectives further mitigation/alternative/compensation measures need to be identified and implemented.**
- o A named co-ordinator is required for success of the travel plan.**

Reason: To reduce the impact of the development on air quality.

14. **Prior to commencement of development the BNG Metric and Technical Briefing Note should be revised to demonstrate a minimum of 10% BNG can be achieved, and the hedgerow figures revised to clarify the apparent anomaly. The revised BNG Metric and Technical Briefing Note shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development.**

Reason: To ensure that the BNG Metric and Technical Briefing Note are revised and corrected in the interests of local biodiversity, ecology and the visual amenity of the site.

15. **Prior to the commencement of development and any landscaping works, a Biodiversity and Landscape Management Plan (Landscape Ecological Management Plan) which details how the ecological units will be delivered as the part of the development shall be submitted to and approved in writing by the Local Planning Authority. It should address the aspirations of NPPF in achieving overall net gain for biodiversity, along with details on how it is planned to incorporate biodiversity as part of the development scheme, how the habitats within the site boundary will be managed to maintain long term biodiversity objectives, and if possible who will have the management responsibilities. As such the plan shall include the following:**

- a) aims and objectives of management;**

- b) existing and proposed features to be managed, including specific reference to improvements to retained hedgerows;
- c) species composition of habitats to be enhanced and created;
- d) a programme for implementation;
- e) the body or organisation responsible for implementation of the Plan; and
- f) monitoring and remedial measures of the Plan.

The plan shall be implemented in accordance with the approved details and the programme as approved and the measures shall be maintained and retained thereafter.

Reason: To ensure that the agreed landscaping and biodiversity gains are delivered and maintained in the interests of local biodiversity, ecology and the visual amenity of the site.

16. Before first occupation of the development, detailed engineering drawings of the revised plan as approved by condition 4 above, shall be submitted to and approved by the Local Planning Authority (in consultation with the Highway Authority). Before first occupation of the development, the works as shown as these drawings shall be completed in full to the satisfaction of the Local Planning Authority.

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

17. Notwithstanding the details as shown on drawing number 2277-02 rev D (proposed access plan), no dwelling forming part of the development shall be occupied until the following works have been completed in full:

- Pedestrian dropped kerbs and tactile paving either side of the Cowards Lane / spine road junction, with a suitable level of visibility from the tactile crossing points.
- Pedestrian dropped kerbs and tactile paving either side of the B656 / spine road junction.

- Measures to prohibit the parking of vehicles (e.g. double yellow lines) at the roadside of the B656 to ensure the necessary level of visibility from the site access, and from the pedestrian crossing points on the B656, are maintained in perpetuity.

Reason: To ensure pedestrians are safely and suitably accommodated on the highway network, in accordance with paragraphs 110 - 112 of the NPPF (2021).

18. No dwelling forming part of the development shall be occupied until the two existing bus stops closest to the site along the B656 have been upgraded, to

include raised Kassel kerbing. These works shall be completed before first occupation of any dwelling forming part of the development.

Reason: To ensure residents and visitors of the development have the realistic option of travelling by local bus routes, and not a reliance on the private motorcar, in accordance with paragraphs 110 - 112 of the NPPF (2021).

19. The detailed plans submitted in connection with approval of reserved matters shall show, to the satisfaction of the Local Planning Authority:
- The details of all hardsurfaced areas within the site. This includes, but is not limited to, all roads, footways, forecourts, driveways, parking and turning areas, and foul and surface water drainage.
 - The level of footway and carriageway visibility from each individual vehicle access, and the level of visibility from and around each main junction within the site, within which there shall be no obstruction to visibility between 600mm and 2 m above the carriageway level.
 - That service vehicles, including refuse and emergency vehicles, can safely and conveniently access and route through the site, to include the provision of sufficient turning and operating areas.
 - The provision of sufficient facilities for cycle storage.
- All these features shall be provided before first occupation and maintained in perpetuity.

Reason: To provide adequate visibility for drivers within the site, to promote alternative modes of travel, and for the overall free and safe flow of all site users.

20. No dwelling shall be occupied until full details of the proposed arrangements for future management and maintenance of the proposed roads within the development have been submitted to and been approved in writing by the local planning authority. The roads shall thereafter be maintained in accordance with the approved management and programme details until such time as an agreement has been entered into under the Highways Act 1980 or a private management and maintenance company has been established.

Reason: To ensure the long-term management and maintenance of the proposed roads.

21. Prior to the first occupation of the development hereby approved details of siting, number and design of secured/covered cycle parking spaces shall have been submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be installed prior to the occupation of each dwelling and permanently retained for cycle parking.

Reason: To ensure the provision of cycle parking spaces in line with the Council's adopted standards and to encourage use of sustainable modes of transport.

22. Prior to the construction of the final road surfacing of the development (but not prior to those works associated with operational/construction access), details of the circulation route for refuse collection vehicles have been submitted to the local planning authority and approved in writing. The required details shall include a full construction specification for the route, and a plan defining the extent of the area to which that specification will be applied. No dwelling forming part of the development shall be occupied until the refuse vehicle circulation route has been laid out and constructed in accordance with the details thus approved, and thereafter the route shall be maintained in accordance with those details.

Reason: To facilitate refuse and recycling collections.

23. Prior to the commencement of the use hereby permitted and prior to occupation of the first dwelling the arrangements for the disposal of waste detailed on the approved plans shall be provided and information shall be provided on the management arrangements for the receptacles to facilitate their collection from a kerbside collection point. The approved arrangements shall be retained thereafter unless alternative arrangements are agreed in writing by the local planning authority.

Reason: To protect the amenities of nearby residents/occupiers and in the interests of visual amenity.

24. Prior to occupation, each of the proposed new dwellings shall be provided with an Electric Vehicle (EV) ready domestic charging point. EV charge points shall be allocated to any visitor parking on a ratio of 1 charge point per 10 visitor parking spaces. The charging arrangements shall be maintained and retained thereafter.

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.

25. No dwelling hereby permitted shall be occupied unless and until an external lighting strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy shall be designed to minimise the potential adverse effects of external lighting on the amenity and biodiversity of the site and its immediate surroundings. The scheme shall be implemented as approved and in accordance with an agreed programme/strategy, and the arrangements shall be maintained and retained thereafter.

Reason: In the interests of biodiversity and local amenity.

26. Before the new access onto the B656 is first brought into use, visibility splays of 2.4 metres by 93 metres to the north-west, and 2.4 metres by 51 metres to the south-east, shall be provided and permanently maintained, within which, there shall be no obstruction to visibility between 600 mm and 2.0 metres above the carriageway level.

Reason: To ensure construction of a satisfactory vehicle access, in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan 4.

27. The gradient of the B656 access, the Cowards Lane access shall not be steeper than 1 in 20 for at least the first 15 metres from the edge of the carriageway which forms part of the public highway.

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

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

Reason: To protect the residential amenities of existing residents.

29. If the Oak tree identified with low bat roosting potential (Ref: Ecological Appraisal, Landscape Planning May 2018) is proposed for removal, it should be soft-felled, where limbs are cut and left grounded over night to allow any bats to make their way out. In the event of bats or evidence of them being found, work must stop immediately and advice taken on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England.

Reason: To ensure protected species are protected from harm in accordance with national legislation and local policy.

30. Prior to commencement of any above ground construction works, full details of the external materials to be used in the facings all buildings, and including their roofs, shall be submitted to and be approved in writing by the local planning authority. The development shall be constructed in accordance with the approved details.

Reason: To ensure that the development will have an acceptable appearance which does not detract from the appearance and character of the surrounding area.

31. 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.

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

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

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

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

34. 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, C, E and F 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.

35. Prior to the commencement of above ground development and as part of Reserved Matters application(s), a housing schedule shall be submitted and approved by the Local Planning Authority, which sets out the dwelling mix, which should be broadly reflect the proposed dwelling mix of 37% smaller units (1 and 2 bed units) and 63% larger units (3 bed and above), unless otherwise agreed in writing by the Local Planning Authority. The approved dwelling mix should be implemented on site.

Reason: To ensure that the development complies with Policy HS3 ('Housing Mix') of the ELP, which suggests a split of 40% smaller units and 60% larger units on edge-of-settlement sites.

36. Prior to the commencement of above ground development and as part of Reserved Matters application(s), a housing schedule shall be submitted and approved by the Local Planning Authority, which demonstrates that at least 50% of homes can be built to the M4(2) Accessible and Adaptable standard; and 10% of the affordable units can additionally be built to the M4(3) wheelchair user standard, unless otherwise agreed in writing by the Local Planning Authority. The approved details should be implemented on site.

Reasons: To ensure that the development complies with Policy HS5: Accessible and adaptable housing

37. Before each phase of development approved by this planning permission, no development shall take place until such time as a scheme to manage surface water run-off has been submitted to, and approved in writing by, the local planning authority.

A detailed surface water drainage scheme should include:

1. Detailed layout drawings showing the location of all proposed SuDS features and associated infrastructure including annotations of surface water attenuation volumes
2. Detailed SuDS management train demonstrating source control measures, conveyances measures and attenuation features, prioritising above ground features and permeable materials in line with HCC SuDS Policies and best practice.
3. Demonstrate compliance with the approved drainage scheme at outline stage FRA and Drainage Strategy reference 203715 Rev 00 dated 17 May 2022 carried out by Scott White and Hookins, including the agreed discharge rate of 3.2l/s to the north into the existing Thames Water sewer.
4. Surface water exceedance routes for events above the 1 in 100-year event + climate change
5. Informal surface water flooding for any flooding from the drainage system during the 1 in 30-year event up to the 1 in 100 year + climate change event, with details of how it will be managed to ensure no increase in flooding to the built development and the surrounding area.
6. Detailed surface water calculations for all rainfall events from the 1 in 1 year to the 1 in 100 year + 40% for climate change
7. Half drain down time calculations for all infiltration/attenuation SuDS features
8. Adoption and Maintenance plan

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme,

or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site and to reduce the risk of flooding to the proposed development and future users.

38. The development permitted by this planning permission shall be carried out in accordance with the principles of the approved Flood Risk Assessment carried out by Scott White & Hookins reference FRA and Drainage Strategy reference 203715 Rev 00 dated 17 May 2022 carried out by Scott White and Hookins and the following mitigation measures:

1. Limiting the surface water run-off generated by the critical storm events so that it will not exceed the surface water run-off during the 1 in 100 year plus 40% for climate change event.
2. Providing storage to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year plus climate change (40%) event.
3. Providing storage and treatment within four above ground attenuation ponds, swales and permeable paving
4. Mitigation measures to raise buildings 300mm
5. Discharge of surface water to an existing Thames Water sewer to the north at a rate of 3.2l/s

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: 1. To prevent flooding by ensuring the satisfactory disposal and storage of surface water from the site.

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

39. No development shall take place until a detailed surface water drainage scheme for the site based on the approved drainage strategy and sustainable drainage principles, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100 year plus climate change (40%) critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The surface water drainage scheme should include:

1. Detailed, updated post-development calculations/modelling in relation to surface water for all rainfall events up to and including the 1 in 100 year return period, this must also include a +40% allowance for climate change.
2. A detailed drainage plan including the location and provided volume of all SuDS features, pipe runs and discharge points into any storage features. If areas are to be designated for informal flooding, these should also be shown on a detailed site plan.
3. Detailed engineered drawings of the proposed SuDS features including cross section drawings, their size, volume, depth and any inlet and outlet features including any connecting pipe runs.
4. Exceedance flow paths for surface water for events greater than the 1 in 100 year including climate change allowance.
5. Implementing an above ground SuDS management and treatment train reducing the need for below ground attenuation.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To prevent the increased risk of flooding, both on and off site.

40. Upon completion of the drainage works e, in accordance with the timing / phasing arrangements, 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 including the final drainage layout for site drainage network.
2. Maintenance and operational activities for the lifetime of the development.
3. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.

Reason: 1. To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

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

Proactive Statement:

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

the determination process which led to improvements to the scheme. The Council has therefore acted proactively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Informative/s:

1. Design informative

The proposal may be subject to Design Review at the Reserved Matters stage in line with Paragraph 133 of the NPPF and supporting paragraph 9.13 of the Emerging Local Plan Policy D1: Sustainable Design.

2. Off-site highways work Informative

The off-site highways works referred to in conditions 17 and 18 above shall include:

- Pedestrian dropped kerbs and tactile paving either side of the Cowards Lane / spine road junction, with a suitable level of visibility from the tactile crossing points.
- Pedestrian dropped kerbs and tactile paving either side of the B656 / spine road junction.
- Measures to prohibit the parking of vehicles (e.g. double yellow lines) at the roadside of the B656 to ensure the necessary level of visibility from the site access, and from the pedestrian crossing points on the B656, are maintained in perpetuity.
- The upgrading of the two existing bus stops closest to the site along the B656, including raised Kassel kerbing.

The details of these off-site highways works need to be completed in accordance with an approved S278 Agreement with the Highway Authority, prior to the occupation of any dwelling forming part of the development.

3. Highways Informatives

AN1) 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.

AN2) 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.

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/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.

AN5) Highway to remain private: The applicant is advised that new highway routes internally associated with this development will 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.

AN6) Section 106 Agreement: Planning permission granted subject to the completion of a Section 106 Agreement between the applicant, North Hertfordshire District Council, and Hertfordshire County Council to secure the following:

A) A Sustainable Transport Contribution of £158,721 index linked by SPONS to January 2019, paid before commencement, to be pooled towards scheme number SM210 under Package 15 of Hertfordshire County Council's South-Central Growth & Transport Plan, to include (but not limited to) cycleway/footway improvements, traffic calming, new and improved signage, reduction in permitted traffic speed and other physical changes to road layout which will enhance facilities for pedestrians and cyclists and provide safer and more sustainable travel access options.

B) A bus service contribution of £117,500, index linked by RPI to January 2019 and paid before commencement, to improve the 44/45 and 314/315 bus routes or other such services that route through Codicote.

C) Travel Plan:

i) An approved Travel Plan at least 3 months before first occupation, consisting of a written agreement with the County Council which sets out a scheme to encourage, regulate, and promote sustainable travel measures for owners, occupiers, and visitors to the Development in accordance with the provisions of the County Council's Travel Plan Guidance (March 2020) or any subsequent replacement guidance.

ii) The Travel Plan is subject to an 'Evaluation and Support Contribution' totalling £6,000 (index linked by RPI from March 2014), payable before first occupation of the development. This contribution is to cover the County Council's costs of administrating and monitoring the objectives of the Travel Plan and engaging in any Travel Plan Review. The applicant's attention is drawn to Hertfordshire County Council's guidance on Travel Plans in this respect.

iii) A Travel Plan Remedial Measures Notice clause within the Legal Agreement, enabling the County Council to serve notice in writing on the Owner via the Travel Plan Co-ordinator where the Owner has failed to meet one or more of the targets identified in the Travel Plan, and specifying the remedial measures and/or actions required to be taken by the Owner to remedy the failed implementation towards the agreed targets with a reasonable time provision.

D) Provision of a car club with at least 1 car club space and vehicle provision.

4. Ecology Informatives

Any significant tree/shrub works or removal should be undertaken outside the nesting bird season (March to August inclusive) to protect breeding birds, their

nests, eggs and young. If this is not practicable, a search of the area should be made no more than two days in advance of vegetation clearance by a competent Ecologist and if active nests are found, works should stop until the birds have left the nest.

In the unlikely event that a Badger is encountered during works, or evidence of badger presence is found, works must stop immediately and ecological advice taken on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England

Keep any areas of grass as short as possible up to, and including, the time when the works take place so that it remains unsuitable for reptiles (or amphibians such as Great Crested Newts) to cross.

In the unlikely event that a Great crested newt is encountered during works, works must stop immediately and ecological advice taken on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England.

Any external lighting scheme should be designed to minimise light spill, in particular directing light away from the boundary vegetation to ensure dark corridors remain for use by wildlife as well as directing lighting away from potential roost / nesting sites. It should follow guidance from the Bat Conservation Trust and CIE 150:2003. Warm-white (long wavelength) lights with UV filters should be fitted as close to the ground as possible. Lighting units should be angled below 70° and equipped with movement sensors, baffles, hoods, louvres and horizontal cut off units at 90°.

5. Environmental Health Informative

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.

6. Land contamination Informative

The Environmental Protection Team has a web-page that aims to provide advice to potential developers, which includes a copy of a Planning Advice Note on "Development on Potentially Contaminated Land and/or for a Sensitive Land Use" in use across Hertfordshire and Bedfordshire. This can be found on www.north-herts.gov.uk by searching for contaminated land, and I would be grateful if this information could be passed on to the applicants.

7. EV Informative

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>

- o UK Government is intending to issue legislation in 2021 to require domestic EV charge points to be smart, thus we recommend that all charge points will be capable of smart charging, as detailed in UK Gov consultation response.

8. Thames Water Informatives

The proposed development is located within 15 metres of Thames Waters underground assets and as such, the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>. Should you require further

information please contact Thames Water. Email:
developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to
Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater
Court, Vastern Road, Reading, Berkshire RG1 8DB

There are public sewers crossing or close to this development. If the applicant is planning significant work near Thames Water sewers, it's important that they minimize the risk of damage. Thames Water will need to check that the development doesn't limit repair or maintenance activities, or inhibit the services Thames Water provide in any other way. The applicant is advised to read Thames Water's guide working near or diverting their pipes.

<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

Management of surface water from new developments should follow guidance under sections 167 & 168 in the National Planning Policy Framework. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should the applicant require further information please refer to their website.

<https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>

Thames Water Buildover Informative

The applicants will need to approach Pre App Build Over Team (Previously LA Team), Developer Services for a pre-planning application. They can find details here:

<https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development>

Thames Water sewer records don't indicate any shared drainage within the site, but there may be newly transferred sewers that they haven't yet mapped and aren't aware of.

If the site owner finds shared drainage, the sewers may need to be diverted, as Thames Water don't allow new builds over public sewers. The applicant will need to submit their pre-development application to Thames Water and then discuss any potential diversions with the engineer dealing with their application.

Please direct the applicant to connectright.org.uk where they can find advice on making their connections correctly. Where separate systems are provided for foul and surface water, the developer is legally required to use the respective systems and not connect foul drains to surface water drains and vice versa.

9. Affinity Water Informatives

Water Quality

You should be aware that the proposed development site is located within an Environment Agency defined groundwater Source Protection Zone (SPZ) corresponding to our Pumping Station (FULL). This is a public water supply, comprising a number of abstraction boreholes, operated by Affinity Water Ltd.

The construction works and operation of the proposed development site should be done in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the groundwater pollution risk. It should be noted that the construction works may exacerbate any existing pollution. If any pollution is found at the site then the appropriate monitoring and remediation methods will need to be undertaken.

Any works involving excavations below the chalk groundwater table (for example, piling or the implementation of a geothermal open/closed loop system) should be avoided. If these are necessary, a ground investigation should first be carried out to identify appropriate techniques and to avoid displacing any shallow contamination to a greater depth, which could impact the chalk aquifer.

For further information we refer you to CIRIA Publication C532 "Control of water pollution from construction - guidance for consultants and contractors".

Water efficiency

Being within a water stressed area, we expect that the development includes water efficient fixtures and fittings. Measures such as rainwater harvesting and grey water recycling help the environment by reducing pressure for abstractions in chalk stream catchments. They also minimise potable water use by reducing the amount of potable water used for washing, cleaning and watering gardens. This in turn reduces the carbon emissions associated with treating this water to a standard suitable for drinking, and will help in our efforts to get emissions down in the borough.

Infrastructure connections and diversions

There are potentially water mains running through or near to part of proposed development site. If the development goes ahead as proposed, the developer will need to get in contact with our Developer Services Team to discuss asset protection or diversionary measures. This can be done through the My

Developments Portal (<https://affinitywater.custhelp.com/>) or aw_developerservices@custhelp.com.

In this location Affinity Water will supply drinking water to the development. To apply for a new or upgraded connection, please contact our Developer Services Team by going through their My Developments Portal (<https://affinitywater.custhelp.com/>) or aw_developerservices@custhelp.com. The Team also handle C3 and C4 requests to cost potential water mains diversions. If a water mains plan is required, this can also be obtained by emailing maps@affinitywater.co.uk. Please note that charges may apply.

10. Waste and Recycling Informative

Further advice on waste provision for developments is available on our website. <http://www.north-herts.gov.uk/home/planning/waste-and-recycling-provision> this included details of the required capacity at each property.

Dropped kerbs should be provided to allow for ease of movement of bins to the collection vehicle and the pathway should be 1.5m in width taking the most direct route avoiding passing parked cars.

Storage areas should be conveniently located with easy access for residents - residents should not have to take their waste and recycling more than 30 metres to a bin storage area, or take their waste receptacles more than 25 metres to a collection point, (usually kerbside) in accordance with Building Regulations Approved Document H Guidance.

For flats, bins should be ordered direct from the Council's contractor 10 weeks in advance of first occupation to ensure they arrive in time for the first residents moving in.

For houses, bins should be ordered direct from the Council's contractor 2 weeks in advance of first occupation to ensure they arrive in time for the first residents moving in.

Pull distances from the storage point to the collection point should not be within close proximity to parked cars.

The applicant should note that collections occur from the kerbside and residents will be required to present their bins in this location on collection day.

Consideration should be given to parking arrangements alongside or opposite the access to individual streets. If car parking is likely in the vicinity of junctions then parking restrictions may be required to ensure access is not inhibited.

Separate internal storage provision for waste should be provided in kitchen areas to support the recycling of different waste streams to support the National Planning Policy for Waste's requirements to support driving waste up the waste hierarchy.

The surface to the collection point should be uninterrupted, level with no gravel or similar covering, and have a width to enable the easy passage of wheeled bins. For two-wheeled bins this should be 1 metre for four-wheeled bins this should be 1.5 metres wide (including doorways), with a maximum gradient of 1:12.

We do not advise the use of bin compactors, as they often cause excessive damage to bins or cause waste to get stuck inside bins. If bin compactors are used on site you should advise your waste collection contractor. Large scale waste compactors may be appropriate for industrial units.

For flats and commercial properties:-

Doors to bin stores should be sufficient in widths to allow the movement of bins at their widest and prevent entrapment of limbs. This is likely to be a minimum of 20cm in addition to the widest bin contained in the bin store.

Walls and doors should have protection strips to prevent damage and a mechanism for holding doors open should be available. Doors should ideally be keypad entry or standard fire brigade keys. We do not support the use of electronic key fobs.

Bins in communal bin stores should be manoeuvrable to the refuse collection vehicle without the need to move other bins.

Signed:



Ian Fullstone
Service Director – Regulatory

Development Management
North Hertfordshire District Council
Council Offices
Gernon Road
Letchworth
Herts
SG6 3JF

Date: 2 November 2022

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 Applicants will need to pay a compliance fee where they request confirmation in writing of any planning consent, agreement or approval (commonly known as discharge of conditions) required by one or more conditions or limitations attached to a 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.

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 via 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.

8 **Cadent Gas Informative:**

Cadent Gas own and operate the gas infrastructure within the area of your development. Contact our Plant Protection Team for approval before carrying out

any works on site and ensuring requirements are adhered to. Email plantprotection@cadentgas.com Alternatively you can register on www.beforeyoudig.cadentgas.com This service is free of charge.

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.