

Location: **Land North Of 2 Millers Close
Picknage Road
Barley
Hertfordshire**

Applicant: **The Trustees WT & RZ Doggett**

Proposal: **Terrace of three 3-bed dwellings including creation of
vehicular access off Picknage Road, parking and
landscaping.**

Ref. No: 23/02948/FP

Officer: **Melissa Tyler**

Date of expiry of statutory period : 19.03.2024

Reason for Delay

COMMITTEE CYCLE – extension of time agreed

Reason for Referral to Committee

Applicant is a family trust - a member of which is an employee of the Council.

Policies

National Planning Policy Framework

Section 2 – Achieving sustainable development.
Section 5 – Delivering a sufficient supply of homes.
Section 8 - Promoting healthy communities.
Section 9 - Promoting sustainable transport.
Section 11 – Making effective use of land.
Section 12 – Requiring good design.
Section 14 – Meeting climate change.
Section 15 - Conserving and enhancing the natural environment.
Section 16 - Conserving and enhancing the historic environment.

Supplementary Planning Document.

Design Supplementary Planning Document 2011

North Herts Local Plan 2011-2031 Local Plan and Proposals Map

SP1: Sustainable development in North Hertfordshire
SP2: Settlement Hierarchy and Spatial Distribution
SP6: Sustainable transport
SP8: Housing
SP9: Design and sustainability
SP11: Natural resources and sustainability

SP12: Green infrastructure, landscape and biodiversity
SP13: Historic environment
T1: Assessment of transport matters
T2: Parking
HS5: Accessible and adaptable housing
D1: Sustainable design
D3: Protecting living conditions.
NE2: Landscape
NE4: Biodiversity and geological sites
NE7: Reducing Flood Risk
NE8: Sustainable drainage systems
NE11: Contaminated land
HE1: Designated heritage assets
HE4: Archaeology

1.0 **Site History**

1.1 21/02962/PRE Pre application advice given.

2.0 **Representations**

Statutory Consultees

2.1 **Barley PC – OBJECTION (Full representations on website original submitted plans and following amended plans)**

Summary:

- Pre-app predates adoption of Local Plan.
- Site is within the Conservation Area – open fields.
- No allocated site in Barley – Barley has had 43 new dwellings over recent years.
- Site currently used for grazing.
- Poor Design.
- Excessive lighting – external lighting should be resisted.
- Harm to ecology.

Following amendments

- We do not consider the amended proposals address any of the matters raised in our objection to the original proposal as set out in our response dated 7th March 2024. Indeed, we consider the reduced onsite parking to be a major retrograde step increasing our concerns that this proposal will lead to additional parking issues on Picknage Road with many visitors and delivery vehicles etc. having to park outside the site on the highway with consequent increased safety concerns.
- We note that the applicant has made some very minor changes to the building design as shown on the drawings although we note no changes have been made to the planning application nor to the Design and Access Statement or Heritage Statement. It is our view that none of these very minor design changes to the buildings have any impact on the fundamental principle of development in this location, the design of that development and the comments previously made by Barley Parish Council.
- We particularly note that the Conservation Officer for North Herts Council has raised a strong objection to the proposed development in his recommendation

to NHC and which in our view emphatically supports the objections made by us (Barley Parish Council).

2.2 Conservation and Listed Building Officer – OBJECTION (full comments can be found on website)

Summary:

The application site is an open tranche of land that forms part of the demesne lands of Hove Hall which existed within a 'triangle' formed by High Street, Church End and Picknag Road. The site contributes to the sense of space and rural tranquillity, characteristic of the wider countryside surrounding the BCA and serves to preserve a connection to the village's agrarian and rural origins, positively contributing to the heritage significance of the BCA. The terrace of three dwellings with frontage parking, would lead to an urbanising effect, harming the character and appearance of the BCA and would fail to provide a sense of openness that would enable the development to assimilate into the wider context of the BCA. Consequently, the development fails to satisfy the provisions of Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the aims of Section 16 of the NPPF and the aims of Policy HE1 of the North Hertfordshire Local Plan 2011-2031. The degree of harm to the BCA would be moderate on the less than substantial harm continuum which would not be outweighed by public benefits.

2.3 NHs Environmental Health – Noise, Air Quality and Contamination – Conditions and informatives recommended.

The documents submitted in support of this planning application have been reviewed and I can confirm that this service has no objection to the proposal in terms of Environmental Health and Nuisance. Should you be minded to approve the following recommendations and informatives are recommended.

2.4 NHs Waste – Information

Pull distances to the collection vehicle should not exceed 15m in accordance with BS5906:2005.

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, with a maximum gradient of 1:12.

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

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.

For infill applications consideration should be given to parking arrangements alongside or opposite the access to the site. If car parking is currently permitted the consideration of parking restrictions may be required to ensure access is not inhibited.

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 gravel drive makes pulling bins difficult and consideration should be given to whether this surface is the most suitable or whether bins stored closer to the collection point would be more preferable.

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.

Further general advice on waste provision for developments is available on our website: <http://www.north-herts.gov.uk/home/planning/waste-and-recycling-provision>

2.5 **HCC Historic Environment – no comments received.**

Case officer has recommended standard conditions.

2.6 **HCC Highways – Informatives proposed.**

HCC as Highway Authority recommends inclusion of the following Advisory Note (AN) to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980.

2.7 **North Herts Ecology- Conditions recommended**

Following submission of BNG and Ecology statements conditions recommended for the implementation of the mitigation to be complied with

2.8 **Neighbour Representations**

Representations received from four Neighbours on Picknage Road

Summary of neighbour representations:

- Inappropriate location for housing
- Flooding issues properties opposite
- Water pressure issues
- Picknage Road is busy – used by lorries, coaches, farm machinery
- Access isn't wide enough
- Increase in built form
- Air source pumps and EV not shown on plans
- Parking on Picknage Road

3.0 **Planning Considerations**

3.1 **Site and Surroundings**

3.1.1 The application site comprises semi-natural habitat in the form of grassland, hedgerows, and trees lying on the west side of Picknage Road towards the northern end of the village of Barley. There are terraced and semi-detached dwellings on the opposite side of Picknage Road to the east, allotment gardens to the north and a pair of semi-detached dwellings to the southern and a field to the west.

3.1.2 Under the provisions of the Local Plan, the site is within the Conservation Area and within the settlement boundary area for Barley. The conservation area is extensive and covers almost all of the village and extends beyond the defined settlement boundary into the surrounding countryside.

3.2 Proposal

3.2.1 Planning permission is sought for the erection of terrace of three 3-bed dwellings including creation of vehicular access off Picknage Road, parking and landscaping.

3.3 Key Issues

3.3.1 The key issues are:

- Principle of development and Policy compliance
- Sustainability
- Impact on heritage assets
- Design and layout, visual impact on the character of the area
- impact on neighbouring properties
- Standard of proposed accommodation for future occupiers
- highway access and car parking
- Biodiversity net gain and Ecology
- Flooding and drainage
- Other matters – Environmental Health and Waste

Principle of development and Policy compliance

3.3.2 Barley is defined in Policy SP2 (Settlement Hierarchy and Spatial Distribution) as a Category A village where general development will be permitted within the recently defined settlement boundary. As the application site is within this boundary, there is no objection in principle to new development subject to the other considerations such as layout, design and impact on the Conservation Area.

Sustainability

3.3.3 The overarching purpose of the planning system is to contribute to achieving sustainable development, as stated in Section 2 of the NPPF. This is considered against the three objectives of sustainable development, the economic, social, and environmental objectives.

3.3.4 Firstly, in terms of the economic objective, the proposed development would see the delivery of jobs during the build/construction phase which is a modest benefit.

3.3.5 Secondly, in terms of the social objective, this would add an additional dwelling to the district's housing figures which could be delivered in a relatively short space of time, which is a modest benefit.

3.3.6 In terms of the environmental objective, it is acknowledged that future occupiers of this proposal would be reliant on private vehicles for most of their needs. This issue is covered in more detail in the section below on highway matters however the site is within a category 'A' village which has primary school and some local facilities. Paragraph 83 of the Framework states that to promote sustainable development in rural areas housing should be located where it will enhance or maintain the vitality of rural communities.

3.3.7 The proposal will incorporate sustainable building features, such as an EV charging point and a condition is recommended to secure other low carbon and energy reducing features in the construction and operational phase of the development. Overall, these environmental benefits are deemed appropriate relative to the scale of development proposed.

3.3.8 As such, it is considered that the proposal accords with the three strands of sustainability and attributed due weight in the planning balance.

Impact on heritage assets

3.3.9 Within a Conservation Area, the Council has a duty to pay special attention to the desirability of preserving or enhancing the character or appearance of that area, in accordance with Section 72 of the Listed Building and Conservation Areas Act (1990). Furthermore, Section 16 of the National Planning Policy Framework (NPPF) sets out guidance relating to sustaining and enhancing heritage assets.

3.3.10 When considering the impact of proposed development on the significance of a designated heritage asset (such as a Conservation Area or Listed Building), the NPPF notes that great weight should be given to the asset's conservation; the more important the asset, the greater the weight should be. This approach is reflected in Local Plan Policy SP13.

3.3.11 Paragraph 205 of the NPPF goes on to set out that great weight should be given to the conservation of heritage assets and paragraph 206 confirms that any harm to or loss of, the significance of designated heritage assets, should require clear and convincing justification.

3.3.12 Paragraph 208 states that "*where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.*" This approach to balancing heritage impacts against public benefits and securing optimum viable use is reflected in Local Plan Policy HE1.

3.3.13 The Council's Conservation Officer has considered the proposals (his detailed comments can be found on the website).

3.3.14 In summary, the Conservation Officer concludes that less than substantial harm would be occasioned to the Barley Conservation Area and to the setting (hence the significance) of other nearby Designated Heritage Assets. However, he suggests that the harm would be towards the upper end of the less than substantial harm continuum.

3.3.15 Having regard to the detailed comments made by the Conservation Officer, I take a different view. I note that there are large areas of open paddocks within the Conservation Area, and that this openness can be regarded as a feature of the Barley Conservation Area. However, given there are no listed buildings within the immediate proximity of the site combined with the character of the houses along this part of the road being mainly post war development and the existence of the houses 1 and 2 Miller's Close to the immediate south of the application site, I am of the view that the development of this site with this proposal would not cause significant harm to the character and appearance of the Conservation Area. The proposed amended scheme has a well screened frontage proposed, and large areas of paddock land will remain around the site, with some land forming an informal gap being left to the side of no.2 which will help to maintain setting and character, the harm, in my opinion, is to the lower end of less than substantial. Relevant policy dictates that this harm should be weighed against the public benefits of a proposed development. This shall be addressed later.

Design and layout, visual impact on the character of the area

3.3.16 The National Planning Policy Framework requires all development to be of high-quality design and to respect the setting of the Conservation area. Policy SP9 of the Local Plan

sets out that good design is a key aspect of sustainable development, and that new development will be supported where it is well designed. Policy D2 of the Local Plan sets out that planning permission will be granted provided that the development proposal responds positively to the site's local context and takes all reasonable opportunities to create or enhance public realm, reduce energy consumption and waste, and retain existing vegetation and propose appropriate new planting.

- 3.3.17 The proposal would result in a terrace of three modest sized two-storey 3 bed dwellinghouses on undeveloped land which would change its character and appearance through its urbanisation. The proposed layout is considered to relate to the other established post war dwellinghouses on Picknage Road with similar design, proportion and proposed materials.
- 3.3.18 The proposal to use one vehicular access from Picknage Road, and setting the development behind existing and new planting, will help to minimise the visibility and visual impacts of the development in the wider locality as it will be extensively obscured.
- 3.3.19 It is considered that Class A, Class B, Class E and Class F permitted development rights should be removed by condition in the interests of maintaining control over the appearance of the development, potential impacts on dwellings outside the site, and on future occupiers of the development.
- 3.3.20 The amount, size, scale, layout and design of the proposed development is considered acceptable that would not result in any unacceptable harm and remain sympathetic to the local character of the area. The proposal complies with Policies SP9, SP13, D1, HE1 of the Local Plan; and Sections 12 and 16 of the NPPF.

Impact on neighbouring properties

- 3.3.21 The layout of the development does not raise any obvious concerns from a residential amenity perspective. There is adequate separation space provided between existing and proposed dwellings to avoid unneighbourly impacts and first floor windows are positioned so as to avoid overlooking to neighbouring garden areas.

Standard of proposed accommodation for future occupiers

- 3.3.22 A core planning principle set out in the NPPF is to always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. This principle is reflected in the provisions of D3 of the Local Plan.
- 3.3.23 The applicant has confirmed that the dwellings meet the nationally described space standards and has produced a table to demonstrate. Air Source Heat Pumps will be provided to all homes on the development to deliver a low-carbon source of heating to the properties in compliance with Local Plan Policy D1: Sustainable Design. The proposed houses have private gardens, and it is noted that these are all ample in proportion to complement the detached structures.
- 3.3.24 It is considered that the proposed development would not result in any significantly adverse impacts on the amenity of neighbouring properties and the future occupiers of the development would also be provided with a sufficient level of amenity and would comply with Local Plan Policy D3.

Highways, Access, and Car Parking

- 3.3.25 The Council's residential parking standards for dwellings with 2 or more bedrooms to have a minimum of two parking spaces. All dwellings would have two or more

bedrooms and would have at two parking spaces located at the front of each of the three dwellinghouses.

- 3.3.26 Council minimum cycle parking standards are for 1 secure covered space per dwelling, The dwellings are proposed to have cycle parking in the front porch area, which is acceptable. Cycle parking is therefore acceptable.
- 3.3.27 Visitor parking provision requirements in the Local Plan are between 0.25 and 0.75 spaces per dwelling (rounded up to nearest whole number) with the higher standard being applied where there are no garages in the schemes and the lower standard applied where every dwelling in the scheme is to be provided with a garage.
- 3.3.28 The total number of visitor parking spaces proposed is 1. The original submitted scheme proposed 3 visitor spaces and a disabled space. I requested that the level of visitor parking be reduced to one space as I felt the level of hard landscaping at the front of the development was overdevelopment and would increase the impact along the streetscene. There is on street parking available on Picknage Road therefore the benefit of a wider landscaped strip along the front boundary would help screen the terrace of three dwellinghouses and fit better within the Conservation area in my view. The amount of visitor spaces proposed would therefore be acceptable.
- 3.3.29 The proposed internal driveway arrangement is considered satisfactory, on the basis of the absence of objections from the highways officer. The application also includes a Refuse Plan that is considered demonstrates that the proposed dwellings would be able to store refuse bins within or near their curtilages and that they would be within reasonable distances of refuse collection vehicles.
- 3.3.30 Vehicular access to the development would be via new access to be created onto Picknage Road. There are no objections from the highways officer.
- 3.3.31 I consider that the proposed development would not result in any significantly adverse impacts on the highway safety and is compliant with Policy T1 and T2 of the Local Plan.

Biodiversity net gain and Ecology

- 3.3.32 The Local Plan sets out a clear strategic approach for the protection, enhancement, creation, and management of networks of green infrastructure. This is detailed in Policy SP12 (Green Infrastructure, landscape, and biodiversity). Policy NE4 (Biodiversity and geological sites) states that planning permission will only be granted for development proposals that appropriately protect, enhance, and manage biodiversity in accordance with SP12. All development should deliver measurable net gains.
- 3.3.33 The site is a greenfield site which currently contributes to the green infrastructure of the village.
- 3.3.34 Given the proposal will involve the loss of existing undeveloped land, there is potential for the proposal to affect existing species and habitats. There is also the opportunity to create new habitats and increase the biodiversity of the site. In the circumstances, an ecology appraisal identifying opportunities for protecting and improving these elements has been submitted and The North Herts Ecologist has recommended that the mitigation and enhancement set within these reports be conditioned to be implemented on site prior to occupation.

Trees and Landscaping

- 3.3.35 The site is primarily open but overgrown, with more notable vegetation including mature trees on or near its east, SW and SE boundaries. None of the trees are protected by Tree Preservation Orders.
- 3.3.36 The majority of the proposed development would be outside the root protection areas (RPA's) of the trees and would be considered to be sufficiently far from them to not affect their canopies or result in future pressures for their removal. Part of the driveway for proposed dwellings 11 to 13 would project into the RPA of one tree near the NE boundary, however the extent of this projection would be small and is not considered harmful.
- 3.3.37 The development includes comprehensive hard and soft landscaping throughout the site. The amount of hard landscaping is not considered excessive given the amount of development. Details of the materials of the various hard surfaces have not been specified, however it is considered that they can be required to be so by condition. Proposed boundaries comprising of walls and railings are considered acceptable.
- 3.3.38 The proposed soft landscaping and planting details have been fully specified in some of the submitted drawings, however these details can be required by an appropriate condition. There would be new tree planting, in particular near the SW boundary and in the central area of the site. Additional new hedgerows and more minor vegetation, much of it in more visible locations within the site, would considerably soften the development and contribute positively to its appearance. The proposal would also allow the development to comply with one of the objectives of Policy SI2 in incorporating trees into the design of the development. The proposal is considered to comply with Local Plan Policies SP9, SP12, D1, SI2 and NE2; and Sections 12 and 15 of the NPPF.

Drainage and flood risk

- 3.3.39 The site is in Flood Zone 1; therefore, the proposed development is not considered to be at risk of flooding from waterways. The key material consideration is therefore whether the development would be able to provide acceptable drainage that would not result in detrimental surface water flooding inside and outside the site. The development of three terrace dwellings is under the threshold of the EA and the LLFA consultation. I am satisfied that any flooding and drainage is covered by other legislation under the control of Building Control.

Other matters –

Environmental Health and waste

- 3.3.40 In regard to environmental Health (Noise, Contamination and Air quality) and Waste, no technical objections are raised to this development by the relevant statutory and non-statutory consultees. Conditions have been recommended by a number of these consultees if permission were to be granted.

Planning Balance

- 3.3.41 The proposed development, including the erection of three new terraced dwellings, is considered to be acceptable in principle given the location of the site within a Category A village.
- 3.3.42 Section 5 of the NPPF seeks to significantly boost the supply of housing, and to identify opportunities for villages to grow and thrive. The local plan also identifies the village and delivery of new housing within Category A villages as appropriate for development. The site would provide an additional three dwellings within a Category A village that can be

delivered in a short amount of time. The proposal would contribute towards maintaining the vitality of the village.

3.3.43 The proposed development would result in some economic benefits through construction and related services employment and additional spending within the local economy. Furthermore, the development would help support the local community through the provision of additional well-designed homes within the area. Whilst the scale of the development would be modest, there are no housing allocations in the Local Plan in Barley and within this context it is considered that significant weight should be attached to the benefits arising from the delivery of three modest homes in this village location.

3.3.44 The application site is situated within the Barley Conservation Area. Less than substantial harm has been identified to the designated heritage assets, and this harm is considered to be towards the lower end of the scale in my view. Whilst great weight should be attached to this harm, it is considered that the public benefits of the proposed development would outweigh the less than substantial harm to the significance of the conservation area. Therefore, it is considered that the proposal would comply with Local Plan Policy HE1 and paragraph 208 of the NPPF.

3.3.45 The proposed development complies with local policy NE4. With the application being a small site, it is considered that the harm resulting from loss of biodiversity would be limited, and harm to biodiversity and ecology could be mitigated through the inclusion of conditions securing additional planting on site, and the inclusion of bird and bat boxes. Limited weight is attached.

3.3.46 Given the above, it is considered that the public benefits of the proposed development would outweigh the harm caused to the setting of the Barley Conservation Area.

3.4 Conclusion

3.4.1 The proposed development is acceptable and considered to comply with the necessary provisions of the Local Plan policies and the National Planning Policy Framework. Grant conditional permission.

3.4.2 Alternative Options

None applicable

3.5 Pre-Commencement Conditions

3.5.1 The agent has confirmed agreement to the pre-commencement conditions.

3.6 Climate Change

3.6.1 The NPPF supports the transition to a low carbon future and the increased use of renewable energy sources. North Hertfordshire District Council has declared itself a Climate Emergency authority and its recently adopted Council Plan (2020 – 2025) seeks to achieve a Council target of net zero carbon emissions by 2030 and protect the natural and built environment through its planning policies. Local Plan Policy D1 seeks to reduce energy consumption and waste.

3.6.2 The DAS states that the proposed dwellings will be orientated to maximise solar gains and natural ventilation, 100% LED energy lighting, individual means of space heating

and domestic hot water supply; triple glazing, rainwater harvesting. It does not appear that the development seeks to exceed the minimum standards expected. If permission were granted, I would recommend a condition that a sustainability Report outlining the renewable energy and energy saving functionality be submitted and approved prior to commencement.

4.0 **Legal Implications**

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

5.0 **Recommendation**

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

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

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

3. Prior to occupation, the proposed new dwelling shall incorporate an Electric Vehicle(EV) ready domestic charging point.

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

4. Details of any external lighting to be installed on the site, including the design of the lighting unit, any supporting structure, and the extent of the area to be illuminated, shall be submitted to and approved in writing by the Local Planning Authority prior to the development commencing. Only the details thereby approved shall be implemented.

Reason: To protect the amenities of the occupiers of adjoining properties

5. If during any site investigation, excavation, engineering, or construction works evidence of land contamination is identified, the applicant shall notify the Local Planning Authority without delay. Any land contamination identified, shall be remediated to the satisfaction of the Local Planning Authority to ensure that the site is

made suitable for its end use.

Reason: To protect human health and the environment

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

Reason: To ensure that the development will have an acceptable appearance which does not detract from the appearance and character of the surrounding area and to comply with Policy D1 of the North Hertfordshire Local Plan 2011 to 2031.

7. 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.

8. None of the trees or hedgerows 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.

9. Any tree or hedgerows 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.

10. Before the commencement of any other works on the site, trees and hedgerows 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 or hedge. 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 or hedges to be retained on the site in the interests of the appearance of the completed development and the visual

amenity of the locality.

11. Prior to the occupation of each dwelling hereby permitted, the car parking spaces shown for that dwelling on the approved plans shall be marked out and made available and shall thereafter be kept available solely for the parking of motor vehicles.

Reason: To ensure the provision of satisfactory car parking facilities clear of the public highway to meet the needs of the development and to comply with Policy T2 of the North Hertfordshire Local Plan 2011 to 2031.

12. Prior to the commencement of the hard landscaping works, details of all hard surfacing to be used in the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out and completed 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 and to comply with Policy D1 of the North Hertfordshire Local Plan 2011 to 2031.

13. Prior to commencement a site-wide sustainability strategy shall be submitted to the Local Planning Authority for approval addressing renewable energy, reducing carbon emissions and water conservation.

Reason To reduce carbon dioxide emissions and promoting principles of sustainable construction and the efficient use of buildings in accordance with Policies SP9 and D1 in the local plan.

14. The Ecology and Biodiversity enhancement for the permitted development shall be carried out wholly in accordance with the supporting documents submitted - Biodiversity Method Statement (March 2024) and the Ecology /Biodiversity Enhancement Statement and Plan P09 Rev C Proposed Landscape and Biodiversity Enhancement Scheme Layout (04/07/2024)

Reason: To enhance biodiversity in accordance with the NPPF and the North Hertfordshire Local Plan Policy NE4.

15. The bird and bat boxes as shown on Plan P09 rev C shall be fully installed prior to occupation and retained as such thereafter.

Reason: To enhance biodiversity in accordance with the NPPF and the North Hertfordshire Local Plan Policy NE4.

16. If any archaeology artefacts are found during the site clearance and digging out stages, all works must stop on site and advice be sought from the HCC Archaeology team.

Reason: In the interests of archaeology protection to comply with Policy HE4 of the North Hertfordshire Local Plan 2011 to 2031.

17. 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, 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 and to comply with Policy D1 and/or Policy D3 of the North Hertfordshire Local Plan 2011 to 2031.

Proactive Statement:

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

Informative/s:

1. 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 County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

AN2) Obstruction of highway: 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 County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

AN3) Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. 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 and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

AN4) Works within the highway (section 278): 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 County Council website at:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> or by telephoning 0300 1234047.

AN5) Construction Management Plan (CMS): The purpose of the CMS is to help developers minimise construction impacts and relates to all construction activity both on and off site that impacts on the wider environment. It is intended to be a live document whereby different stages will be completed and submitted for application as the development progresses. A completed and signed CMS must address the way in which any impacts associated with the proposed works, and any cumulative impacts of other nearby construction sites will be mitigated and managed. The level of detail required in a CMP will depend on the scale and nature of development.

The CMS would need to include elements of the Construction Logistics and Community Safety (CLOCS) standards as set out in our Construction Management template, a copy of which is available on the County Council's website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

2. 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).

- 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.

- 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).

- 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.

- A list of authorised installers (for the Government's Electric Vehicle HomechargeScheme) can be found at

<https://www.gov.uk/government/organisations/office-for-low-emission-vehicles>

-UK Government issued 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 regulations.

3. During construction of the development working hours shall be restricted to 7.30 am - 6pm Monday - Friday, 8am - 1pm on Saturdays, and not at all on Sundays or Bank Holidays. Vehicles arriving at and leaving the site must do so within these working hours.

Reason: To safeguard the amenities of occupiers of nearby properties.

6.0 **Appendices**

6.1 None