

**REPORT CONSIDERED BY THE PLANNING CONTROL COMMITTEE  
ON 20 SEPTEMBER 2018**

<b>ITEM NO:</b>	
<u>Location:</u>	<b>Sandon Bury Farm Sandon Hertfordshire SG9 0QY</b>
<u>Applicant:</u>	<b>Sandon Bury Farm Ltd</b>
<u>Proposal:</u>	<b>Diversification of Sandon Bury Farm to provide an events venue and guest accommodation, comprising demolition of existing modern buildings within the Sandon Bury Farm complex, change of use of existing buildings from agricultural uses to an events venue, guest accommodation and alterations to listed and non-listed buildings (Black Barn, grain store and hay barn).</b>
<u>Ref. No:</u>	18/00584/FP
<u>Officer:</u>	<b>Melissa Tyler</b>

**Date of expiry of statutory period:** September 28

**Reason for Delay**

Extension of time to allow for further supporting documentation and consultation responses from Statutory Consultees.

**Reason for Referral to Committee**

Councillor Jarvis has requested to called this application in for public interest reasons

1.0 **Site History**

1.1 **14/02529/1PRE** Change of use of agricultural barn to events venue

1.2 **17/01315/1** Diversification of Sandon Bury Farm to provide a wedding venue, comprising the demolition of two existing concrete barns and the erection of a new building and conversion and extension work to the Hay Barn and Centre Barn to provide facilities to serve the wedding venue (use class D2), change of use and conversion of Sandon Bury Farmhouse, the Coach House and Dovecote to provide overnight event accommodation (use class C1), and provision of associated car parking and reinstatement of vehicular access. **WITHDRAWN**

- 1.3 **17/01316/1LB** Internal alterations to Sandon Bury Farmhouse (grade II\* listed), refurbishment of the Black Barn (grade II\* listed) to include overcladding, acoustic insulation work and alterations to existing openings, internal and external alterations to the Dovecote (grade II listed) including the provision of a new roof, and internal and external alterations to the Coach House/Garage Barn (grade II listed) including new and infilled window and door openings **WITHDRAWN**

Reason for the above applications were withdrawn:

*“The applicants are acutely aware that the proposals have generated considerable public interest – both in support and in objection – and we have responded to the various responses that have been received from technical consultees during the course of the applications. To this end, revisions have been made to the scheme to ensure suitable access arrangements and the provision of an appropriate mitigation scheme for protected species, along with providing clarification relating to acoustics.”*

- 1.4 **18/00585/LBC** Internal Alterations to Sandon Bury Farmhouse (grade II\* listed). Refurbishment of the Black Barn (grade II\* listed) to include overcladding, acoustic insulation work and alterations to existing openings. New building (Grainstore Barn) abutting northeast gable end of Black Barn. Link extension between Black Barn and Centre Barn. Alterations to Hay Barn and extension thereof to form covered entrance loggia. Internal and external alterations to the Dovecote (grade II listed) including the provision of a new roof. Internal and external alterations to the Couch House/garage Barn (grade II listed) **TO BE DETERMINED ALONGSIDE THIS APPLICATION**

## 2.0 **Policies**

### **National Planning Policy Framework (July 2018):**

In general and with regard to:

Section 6 – Building a strong, competitive economy

Section 8 - Promoting healthy communities

Section 9 - Promoting sustainable transport

Section 12 – Requiring good design.

Section 15 - Conserving and enhancing the natural environment

Section 16 – Conserving and enhancing the historic environment

Specifically paragraphs 83, 127, 184-85, 192-93

### **North Hertfordshire District Local Plan No. 2 with Alterations 1996:**

Policy 6 - Rural Areas beyond the Green Belt

Policy 7 – Selected Villages

Policy 14 – Nature Conservation;

Policy 21 - Landscape and Open Space Patterns in Towns

Policy 25 - Re-use of rural Building

Policy 55 – Car Parking (SPD Car parking);

## **North Hertfordshire District Council Proposed Submission Local Plan 2011 – 2031**

Policy SP1 Sustainable development in North Hertfordshire  
Policy SP2 Settlement hierarchy (Cat A)  
Policy SP6 Sustainable transport  
Policy SP9 Design and sustainability  
Policy SP12 Green Infrastructure, Biodiversity and Landscape  
Policy SP13 Historic environment  
Policy CGB4 Existing rural buildings  
Policy T1 Assessment of transport matters  
Policy T2 Parking  
Policy D1 Sustainable design  
Policy D3 Protecting living conditions  
Policy D4 Air quality  
Policy NE1 Landscape  
Policy NE8 Sustainable drainage systems  
Policy NE11 Contaminated land  
Policy HE1 Designated heritage assets  
Policy HE4 Archaeology

### **3.0 Representations**

**Statutory Consultees** (full details of all representations can be found in full on our website)

#### **3.1 Sandon Parish Council**

Objection relating to the key concerns:  
Highway and traffic issues -  
No public transport  
Access is now in the village  
Car park – potential overspill and conflict with farm buildings  
Noise  
Ecology -  
Impact on Bats  
Drains -  
Foul drainage is an issue  
Breach of village boundary  
Trees – report incomplete  
Social and Economic benefits -  
Little social benefit concerns of jobs  
Local support – unpopular in the village

#### **3.2 Conservation and Listed Building Officer**

Raise **NO OBJECTION** on the basis that the proposal would meet the aims of Policy HE1: Designated Heritage Assets of the North Hertfordshire District Local Plan 2011-2013 Proposed Submission October 2016 and the aims of Section 16 of the NPPF.

(Note: Conditions have been proposed under the listed buildings application 18/00585/LBC)

### 3.3 Hertfordshire Highways

HCC as Highway Authority has considered that the proposal is of a low scale development. They are satisfied that the additional traffic generated can be accommodated within the highway network for a S2 standard carriageway such as Rushden Road, this is based upon guidance of recommended flow ranges for new rural road links, and as such HCC considers that the new development link operates within the range of its reserve capacity

No objection subject to conditions and recommended informative

### 3.4 Environmental Health – Noise

No objection subject to conditions and recommended informative

Please find full representation as Appendix 2 of this report.

### 3.5 Environmental Health – Contamination and air quality

#### *Land Contamination:*

*The information submitted and the limited information available within the EP Team files indicates a low likelihood of environmental risk from ground contamination, although the previous farmyard land use and brownfield nature means that it can't be ruled out. Nevertheless, the proposed non-residential land use means that there is no requirement for a specific land contamination condition to be included on any planning permission.*

#### *Local Air Quality / Sustainable Transport:*

*An approach to considering the impact of a development on air pollution and the potential mitigation of such is now in place in the form of the air quality planning guidance that can be found at*

*<http://www.north-herts.gov.uk/home/environmental-health/pollution/air-quality/air-quality-and-planning>*

*Application of the guidance to a development of this scale and location defines the site as being a MINOR scale development and so the minimum local air pollution mitigation is recommended. It is considered that the inclusion of condition is justified*

### 3.6 HCC Historic Environment Advisory Team

*Conditions have been recommended as the position of the proposed development is such that it should be regarded as likely to have an impact on heritage assets of archaeological interest*

### 3.7 HCC Ecology

*Satisfactory information has been provided as part of the application to ensure bats are safeguard and mitigation/compensated for and that the LPA can apply and satisfy the Habitat Regulations prior to determination. Details will be agreed with natural England and the required EPS licence.*

*Informative has been recommended.*

### 3.8 **Herts and Middlesex Wildlife Trust**

*The ecological report contains an opinion from the Natural England discretionary advice service which considers the report to provide sufficient information to enable a planning decision to be made, and that if actioned would provide adequate compensation for the impacts on bat roosts. In order to ensure that the development proceeds in accordance with the report and the legislation, the inclusion of the recommended condition (derived from BS 42020) is required*

### 3.9 **Historic England**

Do not wish to comment. Advise to seek advice from specialist conservation and archaeological advisers

### 3.10 **Waste**

Condition recommended – requesting for full details of the on-site waste storage facilities to be submitted and agree to in writing

### 3.11 **LLFA**

No objection in principle on flood risk grounds and advise the LPA that the proposed development site can be adequately drained and mitigate any potential existing surface water flood risk. Conditions have been recommended

### 3.12 **HCC Fire & Rescue**

Seek the provision of fire hydrant(s). All developments must be adequately served by fire hydrants in the event of fire. The County Council as the Statutory Fire Authority has a duty to ensure fire fighting facilities are provided on new developments.

In the absence of a S106 a condition has been included

### ***Non-Statutory consultees***

### 3.13 **British Horse Society**

Objections to proposal due to potential conflict with Horse users on highway

### 3.14 **Historic Houses Association**

*As a member of the Historic Houses we are writing to support the applications on the grounds that it will support the long term sustainability of the Sandon Bury Manor a Grade II\* listed building and Black Barn, also II\*.*

*We have examined and support the detailed heritage statement prepared by Hayson Ward Miller on the proposal which outlines grounds why this application should be approved. Over 300 historic houses are recorded in the UK as using their house, or building as a venue for private functions which include weddings. In the great majority of situations this use causes little inconvenience to neighbours which is often the main source of objection to the proposal; but the potential issues need to be managed in the design and building works. Increase in vehicles can often be overstated as many guests share cars, or use taxi's, while arrival of guests is usually within a short period, departure is staggered over an evening and the end of the event agreed as midnight. Noise for the building can also be managed by use of insulating material, measurement of decibels including automated shut down of music. Concerns of the local authority can be mitigated by the use of planning conditions, regarding capacity, number of events and construction.*

**3.15 The Country Land and Business Association (CLA)**

Supports the application.

*The conversion of these barns to an alternative use has been well thought out by the applicants and their professional advisers and we are confident that the proposal comprises a sympathetic design for the heritage assets whilst creating a unique event venue. We therefore consider that the development of this site and the plans to diversify into this niche market of the events sector will enable this established agricultural business to secure its viability through a well thought out diversification project. This will allow the farm to make a vital contribution to the local economy*

**3.16 Sandon Conservation Group**

Proposal is not sympathetic to the conservation area or heritage assets

Impacts biodiversity

Car park encroaches on landscape conservation area – adverse effect on visual amenity

Removal of trees

Impacts on Icknield and Hertfordshire Ways

Removal of vegetation to create visibility splays

Impact on bats

Noise – concerns with methodology of noise report

Traffic issues and noise

Light pollution

Lack of social, and environmental and economic benefits

**3.17 Sandon Action Group (SAG)**

Highways and traffic

Noise and disturbance

Impact on the significance of heritage assets

Impact on biodiversity

Impact on character and appearance of the area

Economic sustainability

**3.18 Neighbours (all representations can be found in full on our website)**

At time of writing this report:

Numbers of comments received - 340

Number of objections – 202

Number of Support – 135

### **Main themes of objections include:**

Highway impact and safety from additional traffic generation  
Access to site is now within the village  
No public transport to village  
Noise impacts of events on neighbouring residential uses  
Light pollution  
No benefits to village  
Outside settlement boundary  
Unsuitable location  
Parking clashes with farm buildings  
Loss of amenity for neighbouring properties and village resident  
Ecology impacts – Bats and other wildlife  
Impacts on other highway users – horses, cyclists, walkers and vehicles  
Number of events - too many

Petition submitted (some duplicate representations)

### **Main themes of support**

Farm diversification  
Supporting rural economy  
Jobs for local people and businesses  
More people can enjoy the heritage assets  
Sandon is a diminishing village – lost shop/pub/businesses  
Policy compliant  
Sympathetic proposal to heritage assets  
Show great sensitivity towards the village through plans  
Safeguard heritage assets for future generations  
Removal of post war structures will enhance heritage assets

## **4.0 Planning Considerations**

### **4.1 Site and Surroundings**

- 4.1.1 Sandon Bury Farm has been under the ownership of the applicant's family since the mid-19<sup>th</sup> Century and includes a number of historic buildings. The Bury is currently the family home and farm office for the working farm. As stated in the DAS, for the last few years the farm has not been economically viable and has needed subsidy from other sources of income in order to keep operating and to fund the maintenance of the listed buildings.
- 4.1.2 Sandon Bury is located on the edge of the settlement within the designated boundary of Sandon. It is located within the Conservation area. All Saints Church (Grade I Listed) is located to the north of the site situated behind the House and coach-house.
- 4.1.3 There are a number of listed buildings within the site and part of the proposal subject to this application.
- 4.1.4 The house was built in 1661 and extended in the 19<sup>th</sup> century and is a Grade II\* listed building.

- 4.1.5 Former stables Grade II, coach-house and dwelling, now outbuilding and garage. Late C17, altered and extended in C20. Red brick, some weatherboarding.
- 4.1.6 Dovecote, Grade II - now garage. Late C17. Red brick, corrugated roofing. Square on plan. Plinth. Side away from road has a door with an upper blocked segmental brick arch under a stepped up plat band. Opposite side has plat band stepped up over blocked vertical oval opening. Shallow pitched gable ends with plat bands stepped up over blocked vertical oval openings. End away from house has inserted double doors. Interior: brick cotes with ledges intact on one side
- 4.1.7 Black barn – Grade II\* - Aisled barn. C14 or earlier. Altered late C17 and C19. Timber frame, rendered brick base. Weatherboarded and red brick clad. Slate roof. 6 bays with a shorter bay to end nearest road. End wall facing road is C17 brick with plinth
- 4.1.8 Barley Barn – Grade II - Aisled barn. Late C17 or C18. Timber frame on part rendered brick base. Weatherboarded. Corrugated sheet roofing. 7 bays with aisles continuing at ends.

## **4.2 Proposal**

- 4.2.1 Development seeks permission for the proposed diversification of Sandon Bury Farm to create an events venue with guest accommodation. The maximum number of events has been proposed at 75 per calendar year (events such as weddings, family functions and other small scale events). The proposed events space will have provision for up to 150 guests.
- 4.2.2 Proposed permanent staff numbers at the venue will be approximately 3 full time and 3 part time. On an event for 150 guests an additional 22 staff would be employed on site per event.
- 4.2.3 The elements of this application have been broken down into the different physical components of the site for ease of understanding (See Appendix 1 for plan of site and location of barns/buildings -extract from the Design and Access Statement page 3)

**1. Sandon Bury** – Conversion and change of use to guest accommodation and smaller events venue. There are 6 double bedrooms to be used for guests.

**2. Black Barn** – Conversion and change of use to an events venue. Insertion of a new purpose built freestanding acoustic enclosure to contain amplified music and dancing. The dining capacity is set for a maximum of 150 guests. Includes new bat lofts in western and eastern roof bays. The barn will have an over-cladding of the external envelope to improve acoustic isolation.

**3. Dovecote** – Conversion of the existing barn storage to guest accommodation. This will have one bedroom for 2 guests (Honeymoon Suite). The existing dovecotes are to remain in tack and exposed as a design feature. Permission is also sought for the rebuilding of original pyramid roof and remove the modern pitched roof structure.

**4. Coach House and garage** – Conversion to housekeeper accommodation. Including a store, laundry and administration office and reception.



**5. Modern grainstore** – The existing pre-cast concrete grain store will be demolished. This will be replaced with a new barn structure to facilitate the toilets and a space for the wedding ceremonies. The footprint and roofline have been design to relate to the listed Black Barn that it will attach onto. An entrance will be provided on the north elevation.

**6. Modern fertiliser barn** – to be demolished. This newly made space will recreate a historic courtyard framed by the replacement grainstore building (No.5) an open-fronted Hay Barn (No. 8), the Barley Barn (No. 9) and an extended Centre Barn (No. 7)

**7. Centre Barn** - Extension to the existing barn to facilitate a guest spa and studio space, a kitchen and, staff facilities

**8. Hay Barn** – This barn is to be retained. This will be open-fronted with an enclosed south bay which will provide a bat emergence zone adjacent to the Barley barn.

**9. Barley Barn** – This listed barn is to be retained – No development to this listed barn has been included as part of this application

**10. Lower Barn** – to be retained. Will contain waste facilities and office. This is adjacent to the service yard that will provide coach turning and embarkation and staff car parking.

**11. Modern Agricultural sheds** – to be retained and are part of the existing and continuation of the Farm business.

**Access and Parking Area** – Access to the site will be from the existing access which facilitates the House and the working farm. Parking for the House will accommodate 7 parking spaces with the majority of parking located around the existing farm buildings. 68 parking spaces will be provided for the event venue. An element of disabled parking has been provided. 14 staff parking spaces are located within the service yard. Coach turning area is also located within the service yard next to the proposed courtyard. Access from the car park to the venue will be accessed through the Barley Barn.

### **4.3 Key Issues**

4.3.1 The key planning considerations have been divided into the following headings:

- Principle of development – policy compliance
- Planning issues – discussing the harm and benefits of each issue
- Planning balance

#### **Principle of development**

4.3.2 The National Policy Framework will frame the overarching policy context for determining this application. A revised version was adopted in July this year. Given the advanced stage of the emerging local plan, I consider that some weight can now be attached to the Submission Plan. In doing so I am mindful of the advice in paragraph 213 of the NPPF in terms of weight that can be applied to saved policies. Paragraph 213 states that ***due weight should be given to existing policies according to their degree of consistency with the NPPF (the close the policies in the Saved Plan to the policies in the NPPF, the greater the weight that may be given).***

- 4.3.3 In considering whether an events venue with guest accommodation on this site is acceptable, regard must be had to the location of the site. Sandon village is classed as a Selected Village beyond the Green Belt (Saved Policy 7) and the site is also classed as a Category A village as identified in the emerging local plan (Policy SP2; Settlement Hierarchy). Both policies states that **general development will be allowed within the defined settlement boundary**. Sandon Bury is located within the settlement boundary as shown on the proposals map. A very small section of the proposed car park (along the southern boundary) is located just outside the settlement boundary. It is proposed that a new hedgerow and tree line is to be planted to create a defined boundary to the south edge of the car park and to safeguard the open countryside at this point.
- 4.3.4 Policy 7 of the Saved Local Plan states that that development within the village boundary would normally be permitted where development involves retaining and improving an existing building which contributes to the character or visual quality of the village and would maintain or enhance the character of the conservation area. It is my opinion and that of the Conservation Officer that the development, as amended, would create a positive contribution especially with the removal of two modern agricultural building and the erection of a well designed barn and extension to an existing barn that would complement the listed buildings and allow for the creation of a traditional historic courtyard that would better enhance the context of listed buildings and their surroundings.
- 4.3.5 It is acknowledged that the proposed scheme would significantly change the use of the site described above. National Policy is strongly in support of the sustainable growth and the expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings. Paragraph 83 of the NPPF states that decisions should enable:
- a) ***the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;***
  - b) ***the development and diversification of agricultural and other land-based rural businesses;***
  - c) ***sustainable rural tourism and leisure developments which respect the character of the countryside***
- 4.3.6 This sentiment is echoed in Policy 25 of the saved local plan for the Re-use of Rural Buildings. This states that ***the re-use of rural buildings for commercial, industrial, or recreational purposes will be permitted provided that:***
- a. ***the form, bulk and general design of the building are in keeping with***
  - b. ***the building has not become so derelict that it could be brought back into use only be complete or substantial reconstruction;***
  - c. ***the new use will not have an adverse effect on the environment or on highway safety.***

4.3.7 Representations were received from The Country Land and Business Association (CLA) whom are a leading authority on the rural economy. The CLA state that **“the development of this site and the plans to diversify into this niche market of the events sector will enable this established agricultural business to secure its viability through a well thought out diversification project. This will allow the farm to make a vial contribution to the local economy”**.

4.3.8 The NPPF recognises the importance of diversification projects to the viability of the rural economy as a significant source of employment and in supporting the prosperity of rural communities. These are **social** and **economic** benefits. Paragraph 4.35 of the emerging local plan also encourages rural business within Category A villages.

4.3.9 Despite this positive policy backdrop, there are, however, other considerations that must be taken into account for the development to be wholly acceptable in principle.

4.3.10 Given the scheme includes a number of listed buildings and that the Bury is located within the Sandon Conservation Area the proposed development will affect heritage assets. Paragraph 184 of the NPPF states that **heritage assets are an irreplaceable resources, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations** (this is echoed by the Planning (Listed Buildings and Conservation Areas) Act 1990).

4.3.11 The framework continues with paragraph 185 which states that decisions:

**Should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance. LPAs should take into account:**

- a) **The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation**
- b) **The wider social, economic and environmental benefits that conservation of the historic environment can bring**
- c) **The desirability of new development making a positive contribution to local character and distinctiveness**

4.3.12 Paragraph 192 of the NPPF states that

**In determining planning applications, LPAs should take account of:**

- a) **The desirability of sustaining and enhancing the significance of heritage asset and putting them to viable uses consistent with their conservation**
- b) **The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and**
- c) **The desirability of new development making a positive contribution to local character and distinctiveness**

4.3.13 Paragraph 193 states ***that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset. The greater the weight should be).***

4.3.14 Having established that the proposed development would result in less than substantial harm to designated heritage assets this, harm should be weighed against any public benefits arising from the development in accordance with paragraph 196 of the NPPF.

### **Planning Issues**

4.3.15 The following section discusses the planning issues that are relevant to this proposed scheme. I have separated the key issues into seven sections, whereby I will discuss both the harm and benefits and conclude with a separate planning balance:

- Intensification and scale of use
- Design and impact on the character and appearance of the site and surrounding area
- Heritage Assets and archaeology
- Environmental Issues including noise, odour, light, contamination and waste
- Highways, access and parking
- Ecology - bats
- Landscaping

### **Intensification and scale of use**

4.3.16 The proposed scheme and scale of events has been significantly reduced from the previous withdrawn scheme. A maximum of 75 events will take place per calendar year with a maximum guest capacity of 150 guests.

4.3.17 This scale of use would occasion a change in the way the site is used and perceived as compared with its use for agriculture or other enterprises which would occupy the site mainly during the day. This said the level of use is not in my view inconsistent with many rural event / wedding venues and on this basis I consider that it is acceptable subject to the authority being satisfied that there are no external impacts associated with this level of use such that would give rise to unneighbourly conditions – principally noise and traffic.

### **Design and impact on the character and appearance of the site and surrounding area**

4.3.18 As noted, the site is situated within a designated conservation area and the site contains a number of listed buildings. Paragraph 127 of the NPPF states that

#### ***Planning decisions should ensure that developments:***

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development***
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping***
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change***

- 4.3.19 The proposed development includes the demolition of a modern concrete grain store and modern fertiliser Barn in the courtyard which are no longer in agricultural use and would be replaced with a new timber-boarded barn that would compliment and enhance the surrounding listed buildings. The proposal also includes the conversion and extension of existing barns and outbuildings to incorporate the proposed use and provide a courtyard area. All of the proposed buildings would be finished with timber boarding to match the existing barn buildings. These proposals would improve the functionality of the existing barns and improve the layout by reintroducing a courtyard element.
- 4.3.20 The listed dovecote's roof is proposed to be restored to its original design – with a plain tile pyramidal roof and oak framed glazed clerestory. Currently the existing dovecote has a modern low-pitched corrugated roof and modern garage doors that disguise the former historical use of the building as a dovecote. The location of the dovecote is a prominent location at the front of the site next to the main access will provide a gateway into the site and the proposed changes will enhance the site significantly in my view.
- 4.3.21 I consider that each of the proposed buildings would be of a suitable design and would certainly represent a significant improvement on the appearance of the existing listed buildings on site and is compliant with the NPPF as stated above.
- 4.3.22 In conclusion, I am of the view that the proposed development would not harm the character and appearance of the site or the surrounding area and so would be acceptable in this regard.

#### **Heritage Assets and archaeology**

- 4.3.23 The proposed scheme involves a number of alterations, conversions and new buildings within the curtilage of the listed buildings within the Bury site. This manorial group is of national significance and the grade II\* listed building possess exceptional architectural and historic interest. The proposals would facilitate the use of Sandon Bury Farm as an event and guest accommodation venue. The key issues are to assess the impact of the proposal in terms of their direct impact upon the building to which the works relate and in the case of external works, the impact upon the setting of other listed buildings in the group and upon the character and appearance of the Sandon Conservation Area.
- 4.3.24 The Conservation and Listed Buildings Officer concludes the following in terms of the proposed scheme:

***“It is considered that this is a generally well-conceived proposal that pays sufficient regard to a particularly important group of listed and curtilage-listed buildings and would ensure that these Designated Heritage Assets are put to a viable use which is consistent with their conservation (para 131, NPPF). In supporting this proposal, I have given great weight to the conservation of these Heritage Assets (para 132, NPPF). I consider that the development proposals will lead to some harm, however, this would be less than substantial harm to the significance of Designated Heritage Assets. The degree of harm should be weighed against the benefits of retaining these buildings within one ownership and one use which would secure, as far as is possible, a use which is viable*”**

***(para 134). It is difficult to determine whether the proposal would, in fact, be the optimum viable use.***

***The removal of the Fertiliser Barn will satisfy the aims of para 137, NPPF i.e. would enhance the setting and better reveal the significance of nearby heritage assets. It would be a fair comment to say that had Barns 1 & 2 on drawing no. EX06 also been proposed to be demolished then the aims of para 137 would have been more or less met in full. In concluding that there would be an element of harm arising from the proposal, it may be said that the proposals would be contrary to the provisions of Sections 16 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, however, this is clearly a paragraph 134 case.***

***I have taken a similar approach to that when commenting on a similar scheme at Redcoats Farmhouse and barns, Little Wymondley where a recently implemented hotel scheme has resulted in a new use for barns considered to be 'At Risk'. In my opinion, the proposal would result in some public benefit by securing a long term viable use for this important group of Heritage Assets and the wider setting of the listed building and indeed the character and appearance of the Sandon Conservation Area would not, in my opinion, be adversely affected by the use proposed to warrant an objection.***

***I, therefore, raise NO OBJECTION on the basis that the proposal would meet the aims of Policy HE1 : Designated Heritage Assets, of the North Hertfordshire District Local Plan 2011-2031 Proposed Submission October 2016 and the aims of Section 12 of the NPPF. As stated at 5.0 of the Heritage Statement, "...The stewardship of both historic agricultural buildings and the surrounding rural farming landscape is an important responsibility; the proposed development will allow the applicants to go on meeting that responsibility in the years ahead".***

4.3.25 In my opinion that the proposed development would comply with both The National Policy Framework and local plan policies (current and emerging) in safeguarding and securing this historic site and preserving the significance of the heritage assets. As I have stated above, paragraph 184 of the NPPF states that ***heritage assets are an irreplaceable resources, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations"***

4.3.26 In regards to archaeological matters, the County Historic Environmental Team have recommended conditions as the position of the proposed development is such that it should be regarded as likely to have an impact on heritage assets of archaeological interest.

**Environmental Issues including noise, odour, lighting, contamination and waste**

## Noise

- 4.3.27 One the major reasons for objection relates to noise. The Parish Council, and many objections received from the public are concerned with the level of noise from increase traffic, event noise – music etc. and people noise when leaving events. The applicant have submitted a SLR noise assessment produced by REC Ltd.
- 4.3.28 The assessment concluded that in regards to operational noise; noise from music, public address systems, people and car park activities; off site traffic noise; would result in low noise impacts and would only have a minor impact of nearby residents. It also concludes that the highest noise source would be associated with vehicle pass-by events on Rushden Road. The assessment concludes that the car-pass-by would not exceed the WHO limit of 45 dB (A).
- 4.3.29 The proposal includes a number of mitigating solutions to noise. Acoustic consultants were employed by the applicant to specify such solutions. The majority of the events will take place within the Black Barn. Overcladding of the external envelope has been proposed to improve the acoustic isolation. Also a new structurally-independent acoustic enclosure has been proposed to house all amplified music. This enclosure has been designed to provide the very highest levels of attenuation across the frequency range with lobbied entrance/exit and noise-attenuated ventilation. Acoustic fencing has also been proposed at 1.8 metres along the driveway and car park. I have recommended that a condition that will provide the details of this fencing if required. Landscaping provision along the car park southern boundary and driveway has also been proposed. This will also help screen the site and attenuate any noise from the car park to the open countryside. I have also conditioned details of the density and species of this boundary planting and a condition to safeguard this new vegetation for the first five years.
- 4.3.30 The Environmental Health Service was consulted and has submitted a comprehensive commentary including recommended conditions. (see full comments as Appendix 2) Their role is to make an objective assessment of the application. In this case, the officer considering the application has not objected but has recommended a range of conditions in order to protect the amenity of existing residents living in the vicinity. The conditions are complementary to each other and together are intended to provide effective controls to protect residential amenity. The primary focus is to ensure that any development does not adversely impact on residents.
- 4.3.31 In light of the views of the Environmental Health Officer I would conclude that with the proposal would comply with the NPPF, specifically paragraph 180 which require new development to **“mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life”**. I would also conclude that the proposal would satisfy the emerging policy D3 ‘protecting living conditions’ which require the proposed mitigation measures to mitigate the harm to an acceptable level.

## Odour

4.3.32 Details have been submitted by the applicant in regards to ventilation provision of the kitchens. The NH Environment Officer does not feel that there are any conditions needed to control odour issues ***“The only concern I have identified relating to odour is from the proposed kitchen extract ventilation system which is to serve the kitchen situated centrally within the application site. I am satisfied this is located a sufficient distance from any nearby residents so that any cooking odours will go to atmosphere before they reach said residents, even in windy conditions or during a temperature inversion. To this end, I do not consider there is a need for the planning condition requiring the approval of this system as standard filtration should be sufficient. The type of cuisine that is likely to be cooked at this venue would also not be considered high risk from an odour nuisance perspective.”***

#### **Lighting**

4.3.33 A number of representations have highlighted the issue of light pollution in relation to the use of the site as an events venue. Sandon is a rural village which has little light pollution. The applicant has stated in the DAS that outdoor lighting in the site will be limited and carefully designed to minimise light pollution. Any lighting within the courtyard will be screen by the barns. The proposal states that low level path marking in the Bury gardens and car park will be provided.

4.3.34 North Herts Environment Health Officer has recommended conditions with the following comment:

***“Any new lighting installations at the application site have the potential to impact adversely upon nearby residents and cause light intrusion into windows, especially those at receptor location 5 (as detailed in the noise report). I therefore recommend that conditions are attached to any planning consent given to ensure that said lighting installations are approved by the LPA prior to them being installed and that they meet certain lighting limits as per the ILE guidance notes for the reduction of obtrusive light.”***

#### **Waste**

4.3.35 The commercial bin storage facilities have been proposed in the centre Barn and any overflow in the Barley Barn. The Waste team were consulted and have recommended a condition to provide full details of the facilities to be approved by the LPA.

#### **Drainage and Contamination**

4.3.36 A Flood Risk Assessment and Preliminary Drainage Strategy were submitted as part of this application. The LLFA were consulted and stated that ***“we have no objection in principle on flood risk grounds and advise the LPA that the proposed development site can be adequately drained and mitigate any potential existing surface water flood risk.”*** Two conditions and an informative have been recommended by the LLFA.



4.3.37 The Environmental Protection Team has stated that there is a low likelihood of environmental risk from ground contamination and due to the proposed non-residential land use means that there is no requirement for a specific contamination condition to be included.

#### **Highways, access and parking**

4.3.38 It is noted that the Parish Council and the objecting neighbours have raised concerns about increased traffic generation due to the change of use to an events venue and subsequently the potential levels of vehicle activity in the village at certain times of the day/night. The highway authority has been consulted. I consider that the proposal is for a relatively modest scale of development that would not have an unreasonable impact on the safety and operation of the adjoining highway. Paragraph 109 of the NPPF, states that ***“development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”***

4.3.39 A Transport Statement was submitted as part of the application and the detail contained within the report are deemed satisfactory and have been approved by the Highways Authority.

4.3.40 The location of the parking in this application is different to the original proposed location. As part of the withdrawn application the parking was located behind the site and located beyond the village boundary. Following discussions before this current application was submitted the location of the car park was deemed more appropriate being within the site and within the designated village boundary.

4.3.41 The proposed scheme includes provision for coach drop off and pick up of guests in the lower service courtyard. A small extension to the existing hard-surfaced working farmyard is proposed. This is proposed to be screened with new hedge planting with native species to the south and east. Materials for the car park are specified as stabilised gravel.

4.3.42 The proposed scheme specifies that there will be provision for 68 car parking spaces of which 4 are disabled spaces and 14 Staff car parking spaces. Electric Charging points have been conditioned and agreed to by the applicant. Using the current parking standards of the SPD, a total of 50 spaces would be required for the maximum of 150 guests (Table 54. Page 23 - 1 space per 3 fixed seats plus 3 spaces per 4 staff Members). The scheme, would therefore be over the required standard. Paragraph 110 of the NPPF states ***“that the site addresses the needs of people with disabilities and reduced mobility in relation to all modes of transport, allows for the efficient delivery of goods and access by service and emergency vehicles and be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.”***

4.3.43 There is a balance to be achieved between the need for parking spaces and their impact on the openness of the countryside. Overall, I can conclude that an appropriate balance has now been struck in this regard and that there are no sustainable objections relating to parking on highway.

## **Ecology**

4.3.44 Concerns have been raised to the potential impact the proposed development would have on the existing ecology of the area. Proposals within the Black barn include new bat lofts in western and eastern roof bays. Also, within the Hay Barn, an enclosed bay will provide a bat emergence zone adjacent to the Barley barn. Landscaping has been proposed along the car park southern boundary to enhance biodiversity and help screen any local wildlife from the development site. Also the applicant has proposed the provision of a new screen of native trees and hedging to provide shelter bat flight corridors along the rear elevation of the Hay Barn. Having consulted HCC Ecology no objections were raised. HCC Ecology was satisfied with the level of information that has been provided as part of the application, to ensure bats are safeguarded, and mitigation/compensated is acceptable. Details will be agreed with Natural England and the required EPS licence.

## **Landscaping**

4.3.45 A Tree Survey report has been prepared by Hayden's Arboricultural Consultants and submitted as a supporting document. This report outlines works to be undertaken to the existing trees within the site. It also outlines the root protection methodology and criteria that should be adhered to when carrying out engineering works that are in close proximity to the existing trees. Tree works including the felling of one poplar and one rowan. Three common limes and one ash tree to be felled to allow the proposed car park to be sited on the southern boundary of the site. These trees will be replaced with new native trees and hedgerows to create a defined boundary to the car park and the existing arable fields south of the proposed car park. Details of this boundary treatment have been conditioned.

4.3.46 I would therefore conclude that the proposed landscaping would be appropriate to the site and enhance the setting of the proposed scheme while providing adequate screening of the car park from the remaining open countryside, once the trees and hedgerows have matured.

## **Planning Balance**

4.3.47 Within the preceding paragraphs I have set out the key areas of consideration and broadly concluded that, following extensive negotiation, how the current scheme is now broadly policy compliant and therefore acceptable in planning terms.

4.3.48 The proposed development site would fall within the village boundary (as proposed in the emerging local plan). Sandon is a Category 'A' village as identified in the local plan as a village within which development will be allowed. I consider that the site is a suitable and sustainable location for an events venue and guest accommodation development taking into account the above factors.

4.3.49 The proposed development would in general meet the aims of policies set out in the NPPF, and local plan.

4.3.50 In my opinion therefore the harm of the proposed events venue would not significantly or demonstrably outweigh the benefits it would deliver socially, environmentally or economically. Supporting the diversification of rural enterprise is one of the key aims of the NPPF.

4.3.51 It is acknowledged that the development proposal would result in less than substantial harm to heritage assets namely the listed Buildings and the Sandon Conservation Area. However I consider that this harm is at the lower end of the scale of less than substantial having regard to the separation of the proposed built form from the conservation area and the proposals to manage and maintain the significance of the assets. Paragraph 196 of the NPPF allows for the public benefits of the proposals to be weighed against the less than substantial harm. In this case I consider the environmental, economic and social benefits including the provision of jobs, farm diversification and the safeguarding and reuse of listed buildings would outweigh the identified harm. Overall then, I consider that the development would be in general accordance with local plan policies and the NPPF as a whole and recommend that planning permission should be granted subject to appropriate conditions.

#### 4.4 **Conclusion**

4.4.1 The NPPF contains a presumption in favour of sustainable development and there are no impacts arising from the development which can be considered significant in my view. Those which would occur can be adequately mitigated by condition. Therefore as stated above in the planning balance, I consider there to be no sustainable planning objections to raise to the application and I recommend that planning permission be granted for this scheme, subject to certain safeguards set out in the conditions recommended below.

#### 5.0 **Legal Implications**

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

#### 6.0 **Recommendation**

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

#### 7.0 **Appendices**

7.1 Appendix 1 – Plan of site (extract from DAS)

7.2 Appendix 2 – Environmental health Comments

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. The development hereby permitted is limited to uses falling with use class D2 of the Town & Country Use Class Order (1987 as amended) unless approved in writing by the Local Planning Authority

Reason: To prevent deemed change of uses that may have different environmental impacts.

#### 4. HIGHWAYS

Prior to occupation of the new proposal the highway works involving the resurfacing of the existing access shall be complete for the first 12 metres from the edge of the carriageway of Rushden Road, to the current specification of Hertfordshire County Council and to the Local Planning Authority's satisfaction. These works shall be secured and undertaken as part of the s278 works.

Reason: In the interests of highway and pedestrian safety.

5. No development shall commence until the details of siting, type and design of plugs, the energy sources and the strategy/management plan of supplying and maintaining the electric charging points to be provided in accordance with the minimum 10% of spaces to be provided with electric charging points shall be provided to the Local Planning Authority and Hertfordshire County Council for approval in writing. All electric charging points shall be installed in accordance with the approved details prior to occupation of any of the units and permanently maintained and retained.

Reason: To ensure that the development complies with the sustainable development policy requirements.

6. No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Traffic Management Plan shall include details of:

- a. Construction vehicle numbers, type, routing;
- b. Traffic management requirements;
- c. Construction and storage compounds (including areas designated for car parking);
- d. Siting and details of wheel washing facilities;
- e. Cleaning of site entrances, site tracks and the adjacent public highway;
- f. Timing of construction activities to avoid school pick up/drop off times;
- g. Provision of sufficient on-site parking prior to commencement of construction activities;
- h. Post construction restoration/reinstatement of the working areas and temporary access to the public highway.

Reason: In order to protect highway safety and the amenity of other users of the public highway.

7. ENVIRONMENTAL HEALTH

Prior to the first use of the events venue, the noise mitigation measures detailed in the SLR report reference 418.07763.00001.002 version 5 dated February 2018 (Sandon Bury Farm Noise Assessment), including a purpose built acoustic enclosure, shall be fully implemented. Once implemented, the scheme of measures shall be maintained in accordance with the details in perpetuity.

Reason: to protect the amenities of existing residents.

8. Prior to the installation of any fixed plant, a noise survey following the guidelines set out by BS4142:2014 shall be undertaken. This survey shall take into account all proposed fixed plant as part of the development and shall include noise control measures which should be submitted for written approval by the Local Planning Authority (LPA). No fixed plant shall be installed and operated at the site until the noise survey has been approved by the LPA. Noise mitigation measures shall be such as to achieve 5dB below existing background noise levels.

Reason: to protect the amenities of existing residents.

9. Goods vehicle deliveries and refuse vehicles shall only be permitted between 08.00hrs and 20.00hrs Monday to Friday, 08.00hrs and 18.00hrs Saturdays and no deliveries on Sundays and Bank Holidays.

Reason: to protect the amenities of existing residents.

10. Hours of use of the events venue shall only be permitted between 08.00hrs and 23.00hrs Sunday to Thursday and 08.00hrs to 00.00hrs Friday, Saturday and any day preceding a Bank Holiday.

Reason: to protect the amenities of existing residents.

11. A maximum of seventy-five (75) events (one event not exceeding 24 hrs) shall take place per calendar year with no more than three (3) events taking place per calendar week.

Reason: to protect the amenities of existing residents.

12. Amplified live and recorded music shall not be permitted to take place in the outside areas (in the open air) of the venue at any time.

Reason: to protect the amenities of existing residents.

13. A detailed lighting scheme shall be undertaken and submitted to the Local Planning Authority for approval with details of all external lighting, including lighting required for the pedestrian walkways, parking areas and security lighting and there shall be no external illumination erected, installed or operated on any part of the site other than in accordance with these approved details.

Reason: to protect the amenities of existing residents and the character of the rural area.

14. The following limits shall not be exceeded by the exterior light installations:

Sky Glow ULR (Max%) 2.5

Max light into windows Ev (lux)

07.00- 23.00hrs 5

23.00- 07.00hrs 1

Source Intensity I (kcd)

07.00- 23.00hrs 7.5

23.00- 07.00hs 0.5

Building Luminance 07.00- 23.00hrs

Average, L (cd/m<sup>2</sup>) 10

Reason: to protect the amenities of existing residents.

15. ENVIRONMENTAL HEALTH (contamination/air quality)

Prior to the commencement of the permitted activity the venue shall incorporate Electric Vehicle (EV) ready charging points sufficient to serve:

- o one staff car parking bay within the courtyard  
and
- o two car parking bays for guests, within the guest parking area

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.

16. Prior to the commencement of development, full details of the on-site storage facilities for commercial waste, including waste for recycling shall be submitted to and approved in writing by the local planning authority. Such details shall identify the specific positions of where wheeled bins, or any other means of storage will be stationed and the specific arrangements to enable collection from within 10m of the kerbside of the adopted highway/ refuse collection vehicle access point and, the arrangements for the disposal of waste shall be provided and shall include provision for a minimum of 50% recycling/organic capacity. The approved facilities shall be provided prior to the commencement of the use hereby permitted and 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, source segregation of waste in accordance with pre-treatment regulations.

17. LLFA

The development permitted by this planning permission shall be carried out in accordance with the approved FRA carried out by Flood Risk Assessment and Preliminary Drainage Strategy carried out by CTC Infrastructure reference 2017-C-252 dated April 2017, submitted and the following mitigation measures detailed within the FRA:

1. Providing attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event.
2. Limiting the surface water run-off generated by the 1 in 100 year + climate change critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.

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

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.

18. No development shall take place until the final design of the drainage scheme is completed and sent to the LPA for approval. The scheme shall also include;
1. Detailed engineered drawings of the proposed SuDS features including their, location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling to ensure the scheme caters for all rainfall events up to and including the 1 in 100 year + 40% allowance climate change event.
  2. Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.

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

19. LANDSCAPE

The landscape details to be submitted and approved in writing prior to commencement and shall include the following:

- a) which, if any, of the existing vegetation is to be removed
- 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 required acoustic fences or other means of enclosure and any landscaping proposed

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

20. The approved details of landscaping shall be carried out before the end of the first planting season following 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.

21. The landscaping scheme approved in accordance with condition 20 will be carried out and completed in full prior to the first occupation and use of the site for an event.

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

22. No demolition/development shall take place/commence until an Archaeological Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of archaeological significance and research questions; and:

1. The programme and methodology of site investigation and recording
2. The programme and methodology of site investigation and recording as suggested by the evaluation
3. The programme for post investigation assessment
4. Provision to be made for analysis of the site investigation and recording
5. Provision to be made for publication and dissemination of the analysis and records of the site investigation
6. Provision to be made for archive deposition of the analysis and records of the site investigation
7. Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.

Reason: to provide properly for the likely archaeological implications of this development proposal.

23. The demolition/development shall take place/commence in accordance with the programme of archaeological works set out in the Written Scheme of Investigation approved under condition (22)

Reason: to provide properly for the likely archaeological implications of this development proposal.

24. The development shall not be occupied/used until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (22) and the provision made for analysis and publication where appropriate.

Reason: to provide properly for the likely archaeological implications of this development proposal.



25. No development shall take place until details of fire hydrants or other measures to protect the development from fire have been submitted to and approved in writing by the Local Planning Authority. Such details shall include provision of the mains water services for the development whether by means of existing water services, new mains or extension to or diversion of existing services where the provision of fire hydrants is considered necessary. The proposed development shall not be occupied until such measures have been implemented in accordance with the approved details.

Reason: To ensure that the necessary infrastructure for the development is in place and to meet the requirements of the fire authority.

Proactive Statement:

Planning permission has been granted for this proposal. The Council acted proactively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted proactively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Informative/s:

1. HIGHWAY INFORMATIVES

Hertfordshire County Council (HCC) recommends inclusion of the following highway informative to ensure that any works within the public highway are carried out in accordance with the provisions of the Highway Act 1980:

Works to be undertaken on the adjoining highway shall be constructed to the satisfaction of the Highway Authority and in accordance with Hertfordshire County Council publication Roads in Hertfordshire Highway Design Guide. Before proceeding with the proposed development, the applicant shall use the HCC website

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development> or call on 0300 1234 047 to obtain the requirements for an appropriate highway agreement for the associated access works as part of the development. This should be carried out prior to any development work is carried out. Reason: To ensure that work undertaken on the highway is constructed to the current Highway Authority's specification, to an appropriate standard and by a contractor who is authorised to work in the Public Highway. 2. Prior to commencement of the development the applicant is advised to contact the North Herts Highways Network Team [NM.North@hertfordshire.gov.uk] to arrange a site visit to agree a condition survey of the approach of the highway leading to construction access likely to be used for delivery vehicles to the development. Under the provisions of Section 59 of the Highways Act 1980 the developer may be liable for any damage caused to the public highway as a result of traffic associated with the development considering the structural stability of the carriageway. The County Council may require an Officer presence during movements of larger loads, or videoing of the movements may be considered.

## 2. LLFA INFORMATIVES

For further information relating to ordinary watercourse consents, please visit our Ordinary Watercourse Webpage on the link below; [www.hertfordshire.gov.uk](http://www.hertfordshire.gov.uk)

<https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/water/flooding-in-hertfordshire/managing-the-threat-and-impact-of-floods/ordinary-watercourses/ordinary-watercourses.aspx>

## 3. ENVIRONMENTAL HEALTH INFORMATIVES

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

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

Prior to the commencement of demolition of the existing buildings, a survey should be undertaken in order to identify the presence of asbestos containing materials. Any asbestos containing materials should be handled and disposed of appropriately. Where necessary this should include the use of licensed contractors and waste disposal sites licensed to receive asbestos.

EV Charging Point Specification:

Each charging point shall be installed by an appropriately certified electrician/electrical contractor in accordance with the following specification. The necessary certification of electrical installation should be submitted as evidence of appropriate installation to meet the requirements of Part P of the most current Building Regulations.

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

- 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).
- 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.

The above condition is considered relevant and reasonable for the following reasons:

- Paragraph 120 of the NPPF which refers to the effects (including cumulative effects) of pollution on health, the natural environment or general amenity.
- The aim of Section 4 'promoting sustainable development' of the NPPF, which includes in paragraph 35 'developments should be designed where practical to incorporate facilities for charging plug-in and other ultra low emission vehicles'.
- HCC Local Transport Plan (LTP3) 2011-2031 which includes an aim 'to reduce transport's own contribution to greenhouse gas emissions and improve its resilience'.
- It is consistent with the approach specified in the NHDC Air Quality Planning Guidance Document, which is referenced within the current consultation version of the Local Plan.
- Reflects the limited options available for travel to the site by foot, cycle and public transport, by providing a more sustainable means of traveling to the site by private car.

#### 4. ECOLOGY INFORMATIVE

The demolition or renovation of buildings, and the removal or severe pruning of trees should be avoided during the bird breeding season (March to August inclusive [Natural England]) 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 3 days in advance of works by a competent Ecologist and if active nests are found, the location should be cordoned off (minimum 4m buffer) until the end of the nesting season or until the birds have left the nest.

Any existing trees (including the roots and overhanging branches) that are remaining on or adjacent to the site should be protected from damage. Protection barriers and/or a no-dig policy may be required.

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.

New trees and shrubs should be predominantly native species, particularly those that bear blossom, fruit (berries) and nectar to support local wildlife; and night flowering plants to attract insects and increase foraging opportunities for bats. Where non-native species are used they should be beneficial to biodiversity, providing a food source or habitat for wildlife.