

ITEM NO:	<u>Location:</u>	Bury Farm House, Bury Lane, Codicote, Hitchin, SG4 8XX
	<u>Applicant:</u>	Mr Doherty
	<u>Proposal:</u>	Erection of three x 4 bedroom dwellings with associated garages and parking spaces, widening of existing vehicular access onto Bury Lane and ancillary works following demolition of existing barn and stables
	<u>Ref. No:</u>	17/00553/ 1
	<u>Officer:</u>	Kate Poyser

Date of expiry of statutory period: 05 May 2017

Reason for Delay (if applicable)

An extension of time has been agreed until 31st May 2017.

Reason for Referral to Committee (if applicable)

The application has been called in by Cllr Jane Grey for the following reason: "I am calling in this application on green belt grounds."

1.0 Relevant History

- 1.1 95/01091/1EUD A lawful development certificate was granted in 1996 for the use of the agricultural barn for Class B8 (storage and distribution) purposes, as the applicant had been able to demonstrate that the B8 use had existed for more than 10 years.
- 1.2 06/0004/1 Planning permission was granted for a change of use from Class B8 to Class B1 (office and light industrial)
- 1.3 06/0005/1 Planning permission was granted for a new stable block to the rear of the B8/B1 building, following the relocation of the existing stable block and a pole barn to the front of the site.
- 1.4 16/2414/1PRE pre-application advice was given for 3 dwellings following the demolition of the light industrial building and stable block.

2.0 Policies

- 2.1 **North Hertfordshire District Local Plan No. 2 with Alterations**
Policy 2: Green Belt
Policy 14: Nature Conservation
Policy 16: Areas of Archaeological Significance and other Archaeological Areas
Policy 55: Car Parking Standards
Policy 57: Residential Guidelines and Standards
- 2.2 **National Planning Policy Framework**
Paragraph 14 - Presumption in favour of sustainable development
Paragraph 17 - Core planning principles
Section 4 - Promoting sustainable transport
Section 7 - Requiring good design

Section 9 - Protecting Green Belt land
Section 10 - Conserving and enhancing the natural environment
Section 12 - Conserving and enhancing the historic environment

2.3 **Emerging Local Plan 3011 - 2031**

Policy SP1: Sustainable development in North Hertfordshire
Policy SP2: Settlement hierarchy
Policy SP5: Countryside and Green Belt
Policy SP6: Sustainable transport
Policy SP12: Green infrastructure, biodiversity and landscape
Policy T2: Parking
Policy D3: Protecting living conditions
Policy NE1: Landscape
Policy HE1: Designated heritage assets

2.4 **Supplementary Planning Documents**

Vehicular Parking at New Development

3.0 Representations

- 3.1 **Highway Authority** - does not wish to restrict the grant of permission, subject to a condition relating to a visibility splay.
- 3.2 **Environmental Health** - no objections relating to site contamination or air quality and recommends conditions relating to site contamination and an EV recharging point.
- 3.3 **Hertfordshire Ecology** - notes that it is likely that the site is being used by both brown long eared bats and pipistrelle bats and has therefore recommended that further emergence surveys are conducted at an appropriate time of year and a mitigation strategy be submitted.
- 3.4 **Historic England** - does not wish to make any comments.
- 3.5 **County Archaeology** - notes that the site lies within an Area of Archaeological Significance and recommends a condition.
- 3.6 **Landscape and Urban Design Officer** - the proposed development could be acceptable, subject to certain issues. Landscaping details required.
- 3.7 **Codicote Parish Council** - "Does not comply with the Parish Council's Green Belt strategy.
- 3.8 **Local Residents** - A letter has been received from Johnson Housing Trust which objects for the following reasons:
- on the grounds that the development would result in a greater impact than the existing use and buildings, and would be harmful to the openness of the Green Belt. The proposals therefore do not fall within the allowed exception set out in Paragraph 89 of the NPPF;
 - the overall impact of the development will have a greater impact on the openness and would have an obtrusive impact on the open countryside viewed from the surrounding area;
 - therefore object to the application on the grounds of the impact of the development on the amenity currently enjoyed at The Bury, and that it could prejudice the future development opportunities of this site, which is located within the village boundary.

4.0 Planning Considerations

4.1 Site & Surroundings

4.1.1 The application site lies between Bury Farmhouse and The Bury and access is gained from a track leading off Bury Lane. There are currently two buildings on site. One is used for light industrial purposes, as a timber workshop and store and the other is a five-bay stable. A public footpath runs to the north of the site and The Bury to the south, is a Grade II* listed building. Open field lie to the east. The site lies just beyond the Excluded Village boundary and it is therefore within the Green Belt.

4.2 Proposal

4.2.1 The proposal is to demolish the two existing buildings and replace with three one and a half storey dwellings arranged in a horseshoe-shape. The buildings have been designed to have a traditional barn-like character. They would use timber cladding and soft red brick on external elevations. The enclosed part of the horseshoe-shape would be arranged to the west, closest to the vehicular access. The parking and turning area would be to the western side of the development and largely enclosed within the courtyard formed by the buildings. The rear gardens would extend west towards the fields. They would be enclosed by existing and proposed paddock fencing. Indigenous hedging planting is also proposed to the boundaries. An improved visibility splay is shown to the existing vehicular access on to Bury Lane.

4.2.2 It is anticipated that amended drawings will be received before the meeting that reduce the amount of glazing in the North East Elevation. An update on this matter will be reported orally.

4.3 Key Issues

4.3.1 The key planning consideration of the development relates firstly to the principle of the development within the Green Belt. The other key considerations relate to the following matters:

- sustainability;
- highway matters;
- residential amenity;
- the historic environment;
- the natural environment.

4.3.2 Principle of the development in the Green Belt

Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The construction of new buildings in the Green Belt is inappropriate development. Paragraph 89 of the National Planning Policy Framework (NPPF) lists exceptions to this. One such exception is relevant to the proposed development and I copy it below.

"limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development."

In order to determine whether the proposed development should be allowed as such an exception, two matters must be considered. Firstly, does the application site meet the definition of "previously developed land"? Secondly, whether it would be development that would not have a greater impact on the openness of the Green Belt than the existing?

4.3.3 If the development is found not to be an "exception", the next consideration is whether there are any very special circumstances to justify allowing the project to proceed.

4.3.4 **Definition of "previously developed land".**

Previously developed land (Brownfield site) is defined by the NPPF as follows.

"Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole curtilage should be developed) and any associated fixed surface infrastructure, This excludes: land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill provided where provision for restoration has been made through development control procedures; land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; and land that was previously-developed but where the remains of the permanent structure of fixed surface structure have blended into the landscape in the process of time."

4.3.5 The land is occupied by the light industrial building and stables, both of which are permanent structures. Land that is or has been occupied by agricultural buildings is excluded. There is some ambiguity here of what is meant by 'has been'. It is not clear whether the definition refers to land which does now or once had an agricultural building, but it is no longer there; an agricultural building whether it is still used or no longer in use, meaning vacant or; whether it refers to an agricultural use of a building on the land at any time. This is relevant as the industrial building was originally used for agriculture. Planning records show that a lawful development certificate was granted in 1996 for the use of the building within Use Class B8 (storage and distribution) and that this use had existed for a least 10 years at that time. The building has not, therefore, been used for agricultural purposes for more than 30 years. In these circumstances and for the purpose of interpreting the definition of previously developed land, it would not be unreasonable to view this building as an industrial building, rather than an agricultural building. **Whilst there is some ambiguity, there is a fair and reasonable argument to support this site as fitting the description of 'previously developed land'.**

4.3.6 **Impact on the openness of the Green Belt**

To meet the above exception to Green Belt policy, the proposed development should not have a greater impact on the openness of the Green Belt.

4.3.7 Codicote is an Excluded Village in the current local plan and a Category A village in the emerging local plan. The application site lies outside the excluded village boundary. The boundary dividing the village from the Green Belt runs along the southern boundary of the site, so that the adjacent property, The Bury, is excluded from the Green Belt, but the application site lies within the Green Belt. The site is a triangular wedge of land so that the east of the site is enclosed by The Bury and Bury Farmhouse and is closely related to the built form of the village. To the west of the site lies the open countryside. A large timber building and grazing land lies to the west. The site remains in the Green Belt in the Emerging Local Plan 2011 - 2031.

4.3.8 The application site is occupied by two buildings. The timber workshop is a large building measuring 24 metres by 22.5 metres and up to 8.7 metres high. It is made up of an original building and various extensions. The original building has two storeys. It is clad in grey corrugated sheeting and timber and has a functional appearance. A large concrete apron extends between the building and the site entrance. The second building is a large, traditional timber stable block, arranged in an L-shape. It measures 19.7 metres by 5 metres and 8.7 metres wide and 7 metres high. The land slopes down towards the west. There is a public footpath

that runs from Bury Lane west, running along the north side of the site. There is a trimmed 1.5 metre high Beech hedge running along most of this boundary. To the south of the site is a 1.8 metre high close boarded fence to the boundary with The Bury. To the west, the boundary with the field is marked by a post and rail fence.

- 4.3.9 The proposed scheme involves the demolition of the timber workshop and stables and the development of the site for three one and a half storey dwellings arranged in a horseshoe shape. They would occupy a fairly central position on the site. Two dwellings would be below 7 metres in height and one would be 7.5 metres high. The external materials would be a mix of timber cladding a soft red brick with slate and clay tiles. The fronts of the buildings, with parking and vehicular turning would be largely contained within the courtyard, to the east of the buildings. To the west of the buildings would be the rear gardens. To account for the changing levels of the site, the buildings would cut into the ground slightly at their eastern end.
- 4.3.10 The existing buildings have a footprint of 670 sq. metres and a volume of 3,630 cu metres. The proposed buildings have a footprint of 395 sq. metres and volume of 2,180 cu metres. The proposed buildings would, therefore, have a volume approximately 40% less than the existing.
- 4.3.11 To the east of the site, the proposed scheme shows less hard surface than the existing development. The west of the site has been left to informal grassland/scrub. The proposed scheme shows the west of the site for the rear gardens. This would inevitably include residential garden paraphernalia. However, a condition could remove permitted development rights for structures and hard surfaces. One garage is proposed integral to each of the three dwellings and they would be large enough to provide some storage space as well as a car, so that a garden shed would not be essential. A structural landscaping scheme is submitted showing 1.2 metre high paddock fencing and indigenous hedge planting to boundaries.
- 4.3.12 The road leading from Codicote to Rabley Heath is to the south west of the site and may provide limited longer distance views of the site. The landscape here is gently rolling with established hedgerows. The site is closely knit with the existing development of the village and I consider, from this distance, it would not appear to extend the built envelope of the settlement. I consider the proposed development would not have a greater impact on longer views across the landscape here.
- 4.3.13 Closer views of the site are from the track and public footpath that leads west from Bury Lane past the site and the network of public footpaths that cross the fields to the west. The existing stables are a form of development typical of the countryside or edge of village setting. The timber workshop is a large functional building of little aesthetic merit that has a negative impact on the openness of the Green Belt. The remainder of the site, as seen from the west, is a little untidy, but has no significant impact on the openness of the Green Belt. The proposed development would appear as a low range of brick and timber buildings with a traditional barn-like form and would appear to have significantly less bulk than the existing. I consider their appearance and design would have a more positive impact on the character of the area than the timber workshop. An appropriate landscaping scheme would be important here for minimising the impact of external residential paraphernalia in the rear gardens. I can see no objections to the landscape strategy as show, but further details would be required. **Overall, I consider that the proposed scheme would not have a greater impact on the openness of the Green Belt. The proposed development can, therefore, be considered to be an exception to Green Belt policy, as defined by paragraph 89 of the NPPF.**
- 4.3.14 **Sustainability**
At the heart of the NPPF is a presumption in favour of sustainable development. There are three strands to sustainability: economic, social and environmental, which should be considered together.

- 4.3.15 The existing economic role of the site relates to the light industrial and storage use of the existing building. The stables are for the personal use of the applicant. The economic role of the three houses would relate to their construction. I consider that the proposal would result in some loss of the site's economic role.
- 4.3.16 The existing social role of the site relates to the applicant's personal enjoyment of the stables. The occupiers of the proposed three dwellings would add support the facilities and services of the village. I consider that the proposed development would result in an increase in the social role of the site.
- 4.3.17 The environmental role of the site relates to climate change and carbon emissions. The application site is within walking distance of the centre of the Codicote, via Bury Lane. The village has a relatively good range of facilities, including a school, shops, public houses, village hall, car repairs garage and a church. There is also a bus service to nearby towns. Its designation as an Excluded Village in DLP No. 2 and the Emerging Local Plan 2011 - 2031 reflects the overall suitability of the village for further development. The current use of the site generates traffic in relation to the Class B1 use. Although parking spaces are not formally marked out, the 2006 planning permission proposed 14 car parking spaces. It is noted that the application forms refer to 5 existing spaces. Using current car parking standards a light industrial unit of this size would require 15 spaces and three 4 bedroom houses would require a minimum of 6 spaces. The likelihood is that a Class B1 use here would generate more traffic movements than the residential use.
- 4.3.18 **Overall, I consider the proposed scheme would amount to sustainable development. The presumption in favour of sustainable development, therefore, supports this proposal.**
- 4.3.19 **Highway matters**
The highway authority raises no objections to the scheme. A visibility splay of 2.4 metres by 43 metres is required to the north of the existing vehicular access. The application site includes this visibility splay. It is proposed to re-align the existing paddock fence, which is on the applicant's land, with indigenous hedge planting behind. I can see no objection to this and the landscaping details should be submitted by condition.
- 4.3.20 A minimum of two car parking spaces per dwelling are required to meet current parking standards. This is shown to be achieved.
- 4.3.21 **Residential amenity**
Bury Farmhouse is to the north of the site and the nearest dwelling. A side elevation would face the application site. Whilst there are windows in this elevation, the main elevations face east and west. The application site is 19 metres away and nearest proposed house (Plot 3) is 23 metres away. At first floor level, only roof lights would face this property, serving a shower room and landing. I, therefore, consider the proposed development would not have a significant effect on the living conditions of Bury Farmhouse.
- 4.3.22 The Bury, to the south of the site, provides retirement/sheltered accommodation. At present the long side elevation of the timber workshop abuts the boundary with this property. There is a 1.8 metre fence to the boundary and, within The Bury's land, there is also a hedge. There are mature trees between the site boundary and The Bury. The Bury has three storeys and there are some small windows facing onto the site at a distance of approximately 25 metres to the site boundary. I do not consider this would result in unacceptable levels of privacy to the proposed dwellings. Plot 3 would be the nearest dwelling to The Bury and would sit at an angle to the property. At first floor level, roof lights are proposed in the south east elevation and one very small window to serve as a second window to a bedroom. I consider the proposed development would not result in a significant loss of privacy to the occupants of The Bury. Being lower in height and further from the boundary than the timber workshop, the proposed scheme would have less impact on the

north west aspect of The Bury than the present situation.

4.3.23 **Historic environment**

The site lies close to St Giles Church and is within an Area of Archaeological Significance. A condition relating to the archaeological investigation of the site is recommended.

4.3.24 The Bury is a grade II* listed building and as the application site lies next to it, any development here may affect the setting of the listed building. Historic England has been consulted, but does not wish to comment. The proposed buildings are lower in height, smaller in volume and further from The Bury than existing buildings on the site. I consider the proposed development would not have an adverse effect on the setting of the listed building.

4.3.25 **Natural environment**

A Preliminary Environmental Appraisal has been submitted with the application. There is evidence that birds have nested on the site in the past. It is also considered likely that long eared bats and pipistrelle bats use the site. Hertfordshire Ecology have been consulted. A condition is recommended to require modifications to the bat mitigation strategy if bats are found and if appropriate. The submitted drawings indicate bat boxes. A condition is also recommended relating to nesting birds.

4.3.26 There is an Area Tree Preservation Order that covers the curtilage of The Bury and extends over a part of the application site. However, there are no trees of significance here which would be affected by the proposed development.

4.3.27 **Other matters**

Concern has been raised by "Johnnie" Johnson Housing Trust that the proposed development would prejudice future development of The Bury site. There are no outstanding planning permissions or planning applications under consideration relating to the site. It is not a Proposal site in the current or emerging local plan. It is hard to conceive how the proposal scheme would prejudice possible development on this site. I can, therefore, see no sustainable planning objection for this reason.

4.4 **Conclusion**

4.4.1 The proposed development would be an exception to Green Belt policy as defined by paragraph 89 of the NPPF and it would amount to sustainable development. Subject to the receipt of the amended drawings, referred to in paragraph 4.2.2, I consider there to be no sustainable planning objections to raise to the application and permission should be granted, subject to the following conditions.

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:

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. **No development shall take place until landscaping details have been submitted to and approved in writing by the Local Planning Authority and the details shall include the following :**

a) which, if any, of the existing vegetation is to be removed and which is to be retained

b) what new trees, shrubs, hedges and grassed areas are to be planted, together with the species proposed and the size and density of planting

c) the location and type of any new walls, fences or other means of enclosure and any hardscaping proposed

d) details of any earthworks proposed, including any retaining walls

The landscaping scheme shall be implemented as approved.

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

4. 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.

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

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

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

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

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

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

8. **(a) No development approved by this permission shall be commenced until a Site Investigation (Phase II environmental risk assessment) report has been submitted to and approved by the Local Planning Authority which includes:**
- (i) A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;**
 - (ii) The results from the application of an appropriate risk assessment methodology**
- (b) No development approved by this permission (other than that necessary for the discharge of this condition) shall be commenced until a Remediation Method Statement report has been submitted to and approved by the Local Planning Authority.**
- (c) This site shall not be occupied, or brought into use, until:**
- (i) All works which form part of the Remediation Method Statement report pursuant to the discharge of condition (a) above have been fully completed and if required a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme.**
 - (ii) A Remediation Verification Report confirming that the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority.**
- (d) Any contamination, other than that determined as requiring remediation by virtue of condition (a), encountered during the development of this site shall be brought to the attention of the Local Planning Authority as soon as practically possible; a scheme to render this contamination harmless shall be submitted to and agreed by, the Local Planning Authority and subsequently fully implemented prior to the occupation of this site.**

Reason: To ensure that any contamination affecting the site is dealt with in a manner that safeguards human health, the built and natural environment and controlled waters.

9. Prior to occupation, each residential property shall incorporate one Electric Vehicle (EV) ready domestic charging point. Thereafter the EV electric charging point shall remain in use.

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.

10. **No development shall take place/commence until an Archaeological Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of archaeological significance and research questions; and:**
1. **The programme and methodology of site investigation and recording;**
 2. **The programme and methodology of site investigation and recording as required by the archaeological 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: The site lies within an area where there is significant potential for archaeological remains and any finds should be retrieved and/or recorded before they are damaged or destroyed as a result of the development hereby permitted.

11. The development shall take place/commence in accordance with the programme of archaeological works set out in the Written Scheme of Investigation approved under condition 10 above.

Reason: The site lies within an area where there is significant potential for archaeological remains and any finds should be retrieved and/or recorded before they are damaged or destroyed as a result of the development hereby permitted.

12. 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 10 above and the provision made for analysis and publication where appropriate.

Reason: The site lies within an area where there is significant potential for archaeological remains and any finds should be retrieved and/or recorded before they are damaged or destroyed as a result of the development hereby permitted.

13. **Prior to the commencement of the development, follow-up dusk emergence/dawn re-entry surveys should be undertaken during May - September (inclusive) to determine whether bats are roosting and, should this be the case, the outline mitigation strategy should be modified as appropriate based on the results and then be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with these approved details.**

Reason: All bats and their roosts are legally protected by the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2010. If bats are present it is illegal to intentionally or recklessly kill, injure or take any individuals or to deliberately capture or disturb individuals. It is an offence to intentionally or recklessly damage or destroy a roost, to obstruct a roost, and to disturb an individual whilst occupying the roost.

14. **No removal of hedgerows, trees or shrubs, brambles, ivy and other climbing plants if appropriate or works to or demolition of buildings or structures that may be used by breeding birds shall take place between 1st March and the 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.**

Reason: All breeding birds are legally protected by the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2010.

15. **A vehicle to vehicle visibility splays of 2.4 metres by 43 metres shall be provided and permanently maintained to the north of the access from Bury Lane. Within which there shall be no obstruction to visibility between 0.6 metres and 2.0 metres above the carriageway. These measurements shall be taken from the intersection of the centre line of the permitted access with the edge of the carriageway of the highway respectively into the application site and from the intersection point along the edge of the carriageway.**

Reason: To provide adequate visibility for drivers entering and leaving the site.

16. **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.

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, C, D, E, F, G of Part 1 and Class A of Part 2 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.

INFORMATIVES

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.

Highway informative:

The Public Rights of Way should remain unobstructed by vehicles, machinery, materials, tools and any other aspects of the construction during works. The safety of the public using the route and any other routes to be used by construction traffic should be a paramount concern during works, safe passage past the site should be maintained at all times. The condition of the route should not deteriorate as a result of these works. Any adverse effects to the surface from traffic, machinery or materials (especially overspills of cement & concrete) should be made good by the applicant to the satisfaction of this Authority. All materials should be removed at the end of the construction and not left on the Highway or Highway verges. If the above conditions cannot reasonably be achieved then a Temporary Traffic Regulation Order would be required to close the affected route and divert users for any periods necessary to allow works to proceed. A fee would be payable to Hertfordshire County Council for such an order. Further information on the rights of way network is available via the website. Please contact Tom Goldsmith (Rights of Way Officer) on 0300 123 4047 for further information in relation to the works that are required along the route including any permissions that may be needed to carry out the works.

<http://www.hertfordshire.gov.uk/services/envplan/countrysideaccess/row/defmap/DMwebmap>

Proactive Statement

Planning permission has been granted for this proposal. The Council acted proactively through positive engagement with the applicant at the pre-application stage and during the determination process which led to improvements to the scheme. The Council has therefore acted proactively in line with the requirements of the Framework (paragraphs 186 and 187) and in

accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.