

ITEM NO:

Location: **The Gables
High Street
Barley
Royston
Hertfordshire
SG8 8HY**

Applicant: **Mr & Mrs J Winstanley**

Proposal: **Section 73 Application: Relating to Application 17/02316/1 granted on 30/05/2018 - Variation of Condition 2 (Approved Plans) to facilitate a relocation and change of appearance of plot 7, switching it with the location of approved plots 4-6 and variations to the dwelling type, scale and appearance of Plots 1, 2, 3 and 8 (as amended by drawings received 22/02/2019).**

Ref. No: 18/03349/S73

Officer: **Tom Allington**

Date of expiry of Statutory period

18th February 2019

Reason for delay

An extension of time has been agreed in order to allow the application to be presented to Planning Control Committee.

Reason for referral to Planning Control Committee

The site area exceeds 0.5 hectares and under the Council's scheme of delegation this planning application for residential development must be determined by the Planning Control Committee.

1.0 Site History

- 1.1 16/02760/1 - Residential development of nine dwellings, garages, parking and landscaping. New access road, car park for existing surgery, relocation of existing electricity substation and double garage and store attached to existing garage for 'Chadwick'. Withdrawn prior to determination.
- 1.2 17/00638/1PRE – Pre-application for 9 residential units. No formal/ written advice provided.

- 1.3 17/02316/1 - Residential development of eight dwellings, garages, parking and landscaping. New access road, car park for existing surgery, relocation of existing electricity substation and double garage and store attached to existing garage for 'Chadwick' (as amended by drawings received 7th November 2017, 1st January 2018, 9th February 2018 and 19th March 2018). Approved by Planning Control Committee 24th May 2018 (Decision notice issued/ dated 30th May 2018).
- 1.4 18/02299/FP - Erection of 10no. residential dwellings and provision of car parking area with all associated landscaping and ancillary works (as a revision to application 17/02316/1 approved on 30/05/18) (as amended by drawings received 8th November 2018). Refused by Planning Control Committee 13th December 2018.
- 1.5 18/00009/S73 – Section 73 Application: Relating to Application 17/02316/1 granted on 30/05/2018 - Variation of Condition 2 (Approved Plans) to facilitate a change of design and appearance of plot 7 and variations to the dwelling type, scale and appearance of Plots 1, 2, 3 and 8 (as amended by drawings received 22/02/2019). Under consideration (Officer recommendation of approval to Planning Committee 14/03/2019)

2.0 **Policies**

2.1 **North Hertfordshire District Local Plan No.2 with alterations**

Policy 6 – Rural Areas beyond the Green Belt

Policy 7 – Selected Villages beyond the Green Belt

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 (2019)**

In general and with regard to:

Section 2: Achieving sustainable development

Section 5: Delivering a sufficient supply of homes

Section 6: Building a strong, competitive economy

Section 8: Promoting healthy and safe communities

Section 9: Promoting sustainable transport

Section 12: Achieving well-designed places

Section 14: Meeting the challenge of climate change, flooding and coastal change

Section 15: Conserving and enhancing the natural environment

Section 16: Conserving and enhancing the historic environment

Specifically paragraphs 11, 77 and 78 ('Rural Housing'), 127 and 130 ('Achieving well designed places'), 163 ('Planning and Flood Risk'), 192 and 193 and 194 and 196 ('Conserving and enhancing the historic environment')

2.3 North Hertfordshire Draft Local Plan 2011-2031

This report considers and takes account of the Emerging Local Plan policies as modified by the Local Plan Examination Inspector. The Inspectors Schedule of Modifications for the Emerging Local Plan were published on 19th November 2018. The modifications were considered by the Councils Cabinet on 10th December, whereby the public consultation on the modifications was approved and which is currently taking place at the time of drafting this report (although which would have closed by the committee meeting). The policies of relevance in this instance are as follows:

Strategic Policies

SP1: Sustainable development in North Hertfordshire
SP2: Settlement Hierarchy
SP5: Countryside and Green Belt
SP8: Housing
SP9: Design and sustainability
SP10: Healthy Communities
SP12: Green infrastructure, biodiversity and landscape
SP13: Historic environment

DM Policies

T2: Parking
D1: Sustainable design
D3: Protecting living conditions
CGB1: Rural Areas beyond the Green Belt
CGB2: Exception sites in rural areas
HS2: Affordable Housing
HS3: Housing Mix
NE1: Landscape
NE8: Sustainable drainage systems
NE11: Contaminated land
HE1: Designated heritage assets
HE4: Archaeology

3.0 Representations

3.1 **Barley Parish Council** – Objection.

- In our opinion a Section 73 application is not the appropriate vehicle for the applicant to be using to seek these alterations to the consented scheme and we take issue with his interpretation of Section 73 of The Town and Country Planning Act 1990. By changing variously the location, massing, bulk, design and materials of the original composition that was consented, these changes are clearly not “minor material amendments” but rather are more fundamental.

- The impact of these proposals goes beyond being questionable; they would cause further demonstrable harm to the character and appearance of the village, the enjoyment of the adjoining green lane and the quality of the Barley Conservation Area. This is particularly so in relation to the proposed changes to Plot 7 which was originally proposed to be a 2 storey 3 bedroomed barn style house but which now becomes a 3 storey house of 5 bedrooms with a significant increase in the bulk and perceived height of the proposed dwelling, not to mention the radical change in materials.

3.2 **Neighbours/ Local Residents** – The application has been advertised via neighbour notification letters, the display of site notices and a press notice. No representations received.

3.3 **NHDC Conservation Officer** – No Objection. Although no written representations have been received, the Conservation officer has provided verbal advice, indicating that whilst the preference is for the originally approved scheme (ref. 17/02316/1), the proposed changes under this scheme would not amount to any significant harm to heritage assets and so no objection is raised.

3.4 **NHDC Landscape and Urban Design Officer** – Concerns raised regarding the scale and bulk of the newly proposed Plot 7, compared to the remainder of the development.

3.5 **HCC Highways** – No objection.

3.6 **HCC Historic Environment (Archaeology)** – No objection, subject to conditions.

3.7 **HCC Lead Local Flood Authority** – No objection.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

4.1.1 The application site is located towards the north-western edge of the village of Barley. The main portion of the site is made up of the large rear garden of the residential property 'The Gables' and the adjoining paddock land immediately to the north of this. This land sits behind properties along the west side of the High Street (B1368), including the Barley GP Surgery and the 'White Posts' Grade II Listed Building. The application site area shown within the red edge also includes the access road which leads from the High Street to the Surgery car park, around the northern side of the GP Surgery and leads to the paddock land and provides access to two further properties on the High Street, Chadwick and Barley Croft. The application site also includes the car park to the front of the surgery and the land immediately to the rear of the surgery building (however, the application site does not include the surgery building itself).

4.1.2 Under the saved polices of the North Hertfordshire Local Plan 1996 the main portion of the site (The Gables garden and the paddock) is located outside of the Barley village boundary (the access road and land at the surgery is within the village boundary). However, the village boundary is proposed to be altered under the Emerging NH Local Plan 2011-2031, which is currently under consideration by the Planning Inspectorate as part of the Examination in Public (this has not been altered/ amended under the Main Modifications). The Emerging Local Plan shows that the land within the curtilage of The Gables would be included within the village boundary, which accounts for approximately one half of the main part of the site, with only the paddock land remaining outside of the village boundary. The site is also located within the Barley Conservation Area, which also extends over the fields/ paddocks to the west of the site.

4.2 Proposal

4.2.1 This is an application under Section 73 of the Town and Country Planning Act 1990, seeking to amend Condition 2 of planning approval reference 17/02316/1 (approved by committee on 24th May 2018). Condition 2 required that:

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.

4.2.2 Hence, this application seeks to make amendments to the previous approved scheme and alter the approved plans. The proposed amendments are listed as follows:

- Plot 1 and 2: altered from a pair of semi-detached red-brick, 2-bedroom dwellings to a pair of semi-detached rendered, 3-bedroom dwellings.

- Plot 3: altered from a detached, red-brick 2-bedroom dwelling to a larger detached, part-rendered and part-timber clad 3-bedroom dwelling

(- Plots 4-6: Row of x3 terraced properties to remain as approved - x3 2-bedroom dwellings)

- Plots 4-6 and 7: Plot 7 altered from large, barn style detached dwelling of dark timber cladding, 2 storeys and of 3-4 bedrooms to a large, 2.5 storeys, detached, rendered 5-bedroom dwelling. Plots 4-6 remain the same as previously approved, however location altered and moved south so as to swap location with Plot 7 and Plot 7 moved north. As such, the detached dwelling becomes 'Plot 4' and the row of three terraced properties becomes 'Plots 5-7.'

- Plot 8: altered from detached, red-brick 2-bedroom dwelling to a larger detached, timber-clad 3-bedroom dwelling.

To summarise, the previously approved scheme included for 4no. two bedroom dwellings, 3no. two/three bedroom dwellings and 1no. three/four bedroom dwelling. The proposed scheme would include 3no. two-bedroom dwellings, 4no. three-bedroom dwellings and 1no. five-bedroom dwelling.

4.2.3 All other aspects of the proposal would remain as previously approved (including works/ improvements to the access, improvements at the Doctors Surgery, a new double garage which would serve the neighbouring property at Chadwick and an open-green space at the centre of the site).

4.3 Key Issues

4.3.1 It is noted that the original application reference 17/02316/1, was recommended for approval (and subsequently approved by committee) on the basis that in the officers view, whilst it was finely balanced, the various public benefits outweighed the identified harm to the setting of the conservation area and to the Grade II Listed White Posts. Therefore, a tilted balance was applied in favour of the development, in accordance with former paragraph 14 of the older NPPF (now paragraph 11 of the revised NPPF 2019).

4.3.2 A subsequent application has since been refused for this same site, which proposed 10 dwellings under reference 18/02299/FP (refused by planning committee in December 2018). In that instance, the same planning balance was applied, however it was found that the harm to heritage assets was increased and the benefits of the scheme were reduced. As such, the tilted balance was not applied and subsequently the application was found to be unacceptable and was refused.

4.3.3 In considering the amended scheme as now proposed, whilst the scale, design and appearance of 5 of the 8 dwellings would be altered (and the location of 4 of the dwellings, overall, it is my professional view that the amended scheme would not result in any significant harm to the setting of heritage assets, in order to over-turn the original planning balance. The proposal would retain a good mix of housing type and size (3no. 2-bedroom dwellings, 4no. 3-bedroom dwellings and 1no. 5-bedroom dwellings). Additionally, the overall form and layout of the site would remain as originally approved (and as designed/ negotiated by the Council's Senior Planning Officer). Of particular importance and significance is that the central green space would be retained and the more sensitive north-western corner of the site would remain open.

4.3.4 It is noted that particular concerns have been raised by the Parish Council with regard to the change to what is now Plot 4 and the location swap with the terrace of three properties of what is now Plots 5-7. It is acknowledged that this would comprise the most significant change, whereby a dark-timber-clad dwelling designed to reflect an agricultural barn is proposed to be replaced with a large, 2.5 storey 5 bedroom dwelling. In addition, the newly proposed 5-bedroom dwelling would now be located further north within the plot. However, the newly proposed building would be of a similar height and width to that previously approved and would still sit within a generous, spacious plot and so would not result in a cramped form of development. Again, although the original approval is preferable in this instance, the amended proposal would also be of a suitable design and would not result in any significant harm so as to justify a reason for refusal and/or to over-turn the planning balance.

- 4.3.5 As noted at 3.3 above, the Council's Senior Conservation Officer has considered the amended proposals and is of the view that whilst the original proposals may be preferred, the scheme now under consideration would not cause undue harm so as to swing the planning balance. Officers are also of the view that in hindsight, the originally approved scheme included four dwellings which would have been of facing red-brick, all at the same part of the site (Plots 1 – 3 and Plot 8), which would not have been reflective of the Barley Conservation Area (which is largely of rendered and cladded properties). As such, it is considered that the proposed amendments to Plots 1- 3 and 8, whereby they would now be of render and painted timber cladding, would represent an improvement compared to the approved scheme and which would provide an overall scheme more in keeping with the conservation area.
- 4.3.6 In light of the above, although the appearance of the site would be materially changed (compared to that previously approved), it is considered that this would not, on balance, be any more harmful to the setting of heritage assets. Therefore, it remains that the benefits of the proposal would still outweigh the harm and so a tilted balance is applied in favour of the proposals, in accordance with Paragraph 11 of the NPPF. Accordingly, the proposal is considered acceptable in principle.
- 4.3.7 **Further considerations**
- 4.3.8 **The living conditions of adjoining and future occupiers**
As the layout of the site is to remain largely as originally approved, the impact on the amenity of existing and future residents would not be materially changed. Whilst plots 4-7 would be altered and swapped round, each of these proposed plots would still benefit from a suitable level of amenity and there would not be any adverse impacts on the amenity of existing properties which are in close proximity to the site.
- 4.3.9 **Access and Highway safety**
As clarified by the HCC Highway Officer, the number of units would remain at eight, as originally approved and so there would be no material impact on the highway safety and no material impact on the local and wider highway network.
- 4.3.10 As above, given that the number of units is not being altered, the general form and layout of the site is remaining as approved, there would be no material alteration to the impact on the remaining areas of consideration, such as Archaeology, Ecology, Surface Water Drainage and Land contamination, as has been confirmed by the relevant statutory consultees (conditions relating to these matters are to be included on any grant of planning permission)..

4.3.11 **Nature of the application**

Concerns have been raised by the Parish Council with regard to the nature of this application. To clarify, it is my opinion that the application is suitable and falls within planning legislation and the extent of the changes can be considered under a Section 73 application. The description of the originally approved application reads as follows:

Residential development of eight dwellings, garages, parking and landscaping. New access road, car park for existing surgery, relocation of existing electricity substation and double garage and store attached to existing garage for 'Chadwick' (as amended by drawings received 7th November 2017, 11th January 2018, 9th February 2018 and 19th March 2018).

4.3.12 The proposed amendments fall within the remit of the approved description (i.e. the description does not need to be altered as a result of the amendments) and whilst material, the amendments are not so significant so as to fundamentally change the nature of the proposed development. As such, Officers are satisfied that the proposed amendments can be considered under this Section 73 application (rather than requiring a new application).

4.3.13 **Conditions**

4.3.14 The original planning approval, reference 17/023161, included 21 conditions. All of these conditions remain relevant and so are to be carried over and included as part of any recommendation for approval. The only condition to be altered is Condition 1, which requires that 'the development shall be commenced within 3 years of the date of the permission'. This is to be altered so that it is not three years from the date of this permission, but three years from the date of the original approval (i.e. from 30th May 2018).

4.4 **Conclusion**

4.4.1 The amended proposals would not result in any significant, additional harm to heritage assets, compared to the originally approved scheme. As such, as with the original approval under reference 17/02316/1, although it is acknowledged that the proposed development would result in less than substantial harm to heritage assets, when considering the overall planning balance, it is found that the significant public benefits would outweigh any harm. As such, the proposed development is considered to be acceptable. I consider there to be no sustainable planning objections to raise to the application and so I recommend that planning permission again be granted for this amended scheme, subject to certain safeguards set out in the conditions recommended below.

4.5 **Alternative Options**

4.5.1 The scheme presented is affectively a re-submission of an alternative scheme which was found to be acceptable. As such, the only applicable alternative is considered to be that which already has permission under reference 17/02316/1 or an alternative scheme as also proposed under reference 18/00003/S73.

4.6 **Pre-Commencement Conditions**

- 4.6.1 I can confirm that the applicant is in agreement with the pre-commencement conditions that are proposed.

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 30th May 2021.

Reason: To comply with the provisions of Section 73(5a) of the Town and Country Planning Act 1990.

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. 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.

4. The development shall not begin until a scheme for the provision of at least 25% affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in the NPPF or any future guidance that replaces it. The scheme shall include:

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

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

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

5. No more than 4 of the 8 dwellings hereby approved shall be occupied until all of the car parking at the Doctors surgery has been properly formed and laid out and is available for use and the electricity sub-station has been relocated in accordance with drawings 396x36b and 396x30b.

Reason: In order to secure the wider public benefits of the development hereby approved.

6. 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.

- e) details of on-site bin/ waste storage for each plot

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

7. The approved details of landscaping shall be carried out before the end of the first planting season following either the first occupation of any of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced during the next planting season with others of similar size and species, unless the Local Planning Authority agrees in writing to vary or dispense with this requirement.

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

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

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

9. The development hereby permitted shall not be occupied until the reconfigured access and principal access road has been widened to 5.5 metres wide for the first 70 metres thereafter being narrowed to a minimum of 5.0 metres wide up to the new turning area as identified on the in principle drawing number 396 30 revision B to the current specification of Hertfordshire County Council and to the local Planning Authority's satisfaction.

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

10. Before the access is first brought into use vehicle to vehicle visibility splays of 2.4 metres by 43 metres in a both directions shall be provided and permanently maintained. Within which there shall be no obstruction to visibility between 600 mm and 2.0 metres above the footway level. 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.

11. Construction of the approved development shall not commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the local planning authority in consultation with the highway authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Traffic Management Plan shall include construction vehicle numbers/routing of construction traffic and shall be carried out as approved.

Reason: To facilitate the free and safe flow of other traffic on the highway and the safety and convenience of pedestrians and people with a disability.

12. Prior to the commencement of development a Construction Method Statement shall be submitted to and approved in writing by the local planning authority in consultation with the highway authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Statement.

The Construction Method Statement shall address the following matters:

- a. Off site highway works in order to provide temporary access throughout the construction period, work shall be completed prior to the commencement of development, and reinstated as required;
- b. Construction and storage compounds (including areas designated for car parking);
- c. The Siting and details of wheel washing facilities;
- d. Cable trenches within the public highway that affect traffic movement of existing residents;
- e. Foundation works that may affect traffic movement of existing residents;
- f. Cleaning of site entrances and the adjacent public highways and,
- g. Disposal of surplus materials.

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

13. Prior to the commencement of the development hereby permitted full details in the form of scaled plans and written specifications shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority to illustrate the following:

- a. Roads, footways, foul and on-site water drainage.
- b. Proposed access arrangements including visibility splays, with acceptable Stage 1 Road Safety Audit;
- c. Servicing areas, loading areas and turning areas for all vehicles.

Reason: To facilitate the free and safe flow of other traffic on the highway and the safety and convenience of pedestrians and people with a disability.

14. 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:
- a. The programme and methodology of site investigation and recording;
 - b. The programme and methodology of site investigation and recording as required by the archaeological evaluation;
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 - c. The programme for post investigation assessment;
 - d. Provision to be made for analysis of the site investigation and recording;
 - e. Provision to be made for publication and dissemination of the analysis and records of the site investigation;
 - f. Provision to be made for archive deposition of the analysis and records of the site investigation;
 - g. 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.

15. 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 13.

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

16. 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 13 and the provision made for analysis and publication where appropriate.

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

17. The development permitted by this planning permission shall be carried out in accordance with the approved Pelham Structure Ltd. Dated October 2016 and the Flood Risk & Surface Water Assessment carried out by Base Energy dated 18 December 2017, submitted and the following mitigation measures detailed within the FRA:

- a. 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.
- b. 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.
- c. Provide a flood storage area to intercept and accommodate overland flows.

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

18. No development shall take place until the final design of the drainage scheme is completed and sent to the LPA for approval. The surface water drainage system will be based on the submitted Pelham Structure Ltd. Dated October 2016 and the Flood Risk & Surface Water Assessment carried out by Base Energy dated 18 December 2017, submitted and the following mitigation measures detailed within the FRA;
- a. Infiltration tests carried in accordance with BRE Digest 365.
 - b. Full detailed engineering drawings of all SuDS features including cross and long sections, location, size, volume, depth and any inlet and outlet features. This should be supported by a clearly labelled drainage layout plan showing pipe networks. The plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.
 - c. Details regarding any areas of informal flooding (events those exceeding 1 in 30 year rainfall event), this should be shown on a plan with estimated extents and depths.
 - d. Details of final exceedance routes, including those for an event which exceeds to 1:100 + cc rainfall event.

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

19. 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.

20. Authority of a written preliminary environmental risk assessment (Phase I) report containing a Conceptual Site Model that indicates sources, pathways and receptors. It should identify the current and past land uses of this site (and adjacent sites) with view to determining the presence of contamination likely to be harmful to human health and the built and natural environment.

(b) If the Local Planning Authority is of the opinion that the report which discharges (a) of this condition, above, indicates a reasonable likelihood of harmful contamination then 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

(c) No development approved by this permission (other than that necessary for the discharge of this condition) shall be commenced until a Remediation Method Statement report; if required as a result of (b), above; has been submitted to and approved by the Local Planning Authority.

(d) 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 (c) 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.

(e) Any contamination, other than that reported by virtue of (a) and (b) of this condition, 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.

21. Prior to occupation, each of the 8 residential properties shall incorporate an Electric Vehicle (EV) ready domestic charging point.

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

Proactive Statement:

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

Informative/s:

1. Prior to commencement of the development the applicant is advised to contact the 0300 1234 047 to arrange a site visit to agree a condition survey of the approach of the highway leading to the development 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. Herts County Council may require an Officer presence during movements of larger loads, or videoing of the movements may be considered.
2. 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/transtreets/highways/> or call on 0300 1234 047 to obtain the requirements for a section 278 agreement for the associated road works as part of the development. This should be carried out prior to any development work is carried out.
3. Before commencement of the proposed development, the applicant shall contact Hertfordshire County Council's Rights of Way Service (Tel: Direct line 01992 555243) to obtain their requirements for the ongoing maintenance of the surface of the Public Right of Way adjacent to the site access.

4. EV Charging Point Specification:

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

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

- o A separate dedicated circuit protected by an RBCO should be provided from the main distribution board, to a suitably enclosed termination point within a garage or an accessible enclosed termination point for future connection to an external charge point.
- o The electrical circuit shall comply with the Electrical requirements of BS7671: 2008 as well as conform to the IET code of practice on Electric Vehicle Charging Equipment installation 2012 ISBN 978-1-84919-515-7 (PDF).
- o If installed in a garage all conductive surfaces should be protected by supplementary protective equipotential bonding. For vehicle connecting points installed such that the vehicle can only be charged within the building, e.g. in a garage with a (non-extended) tethered lead, the PME earth may be used. For external installations the risk assessment outlined in the IET code of practice must be adopted,

and may require additional earth stake or mat for the EV charging circuit. This should be installed as part of the EV ready installation to avoid significant on cost later.

5. The removal or severe pruning of trees and shrubs 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 vegetation clearance and if active nests are found, the location should be cordoned off (minimum 5m buffer) until the end of the nesting season and/or works should stop until the birds have left the nest.