

Town Clerk
Hertford Town Council
The Castle
Hertford
SG14 1HR

Date: 1st April 2022
Our Ref: 3/21/2573/FUL
Please ask for: Emma Mumby
Telephone:
Email: planning@eastherts.gov.uk

Notice of Decision Town and Country Planning Act 1990 (as amended)

Dear Sir/Madam

APPLICATION: 3/21/2573/FUL

PROPOSAL: Change of use of Agricultural Building to C3 Residential Dwelling to create 1, four bedroomed dwelling with insertion of windows, doors and rooflights, associated access, car parking and amenity space.

AT: Cole Green Barn Cole Green Way Hertingfordbury Hertford SG14 2LF

FOR: Mr And Mrs Williamson

Further to my earlier consultation regarding this proposal, I write to inform you that this matter was considered by the Council on the 1st April 2022 and it was decided to **Grant Planning Permission subject to Conditions** subject to the following:

1. The development to which this permission relates shall be begun within a period of three years commencing on the date of this notice.
Reason
To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (As Amended).
2. The development hereby approved shall be carried out in accordance with the approved plans listed at the end of this Decision Notice.
Reason
To ensure the development is carried out in accordance with the approved plans, drawings and specifications.
3. The exterior of the development hereby approved shall be constructed in the materials specified on the submitted application form/plans, or in materials which have been approved in writing by the Local Planning Authority.
Reason
In the interests of the appearance of the development and in accordance with Policy DES4 of the East Herts District Plan 2018.

4. All existing trees and hedges shall be retained, unless shown on the approved drawings as being removed. All trees and hedges on and immediately adjoining the site shall be protected from damage as a result of works on the site, to the satisfaction of the Local Planning Authority in accordance with BS5837: 2012 Trees in relation to design, demolition and construction, or any subsequent relevant British Standard, for the duration of the works on site and until at least five years following contractual practical completion of the approved development. In the event that trees or hedging become damaged or otherwise defective during such period, the Local Planning Authority shall be notified as soon as reasonably practicable and remedial action agreed and implemented. In the event that any tree or hedging dies or is removed without the prior consent of the Local Planning Authority, it shall be replaced as soon as is reasonably practicable and, in any case, by not later than the end of the first available planting season, with trees of such size, species and in such number and positions as may be agreed with the Authority.

Reason

To ensure the continuity of amenity afforded by existing trees and hedges, in accordance with Policy DES3 of the East Herts District Plan 2018.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (As Amended), or any amending Order, the areas shown for parking on the approved plan(s) shall be retained for such use.

Reason

In the interests of highway safety in accordance with Policies TRA2 and TRA3 of the East Herts District Plan 2018.

6. A minimum of one electric vehicle charging point shall be provided for the dwelling and retained thereafter.

Reason

In order to promote sustainable transport in the District in accordance with Policy TRA1 Sustainable Transport, to minimise air quality impact at the design stage in accordance with Policy EQ4 Air Quality, and to incorporate high quality innovative design, new technologies and construction techniques, including zero or low carbon energy in accordance with Policy DES4 Design of Development of the adopted East Herts District Plan 2018.

7. The noise levels in rooms and the external amenity areas at the development hereby approved shall meet the amenity standards in accordance with the criteria of BS 8233:2014 'Guidance on sound insulation and noise reduction for buildings' for internal rooms and external amenity areas. Construction methods and materials to achieve this shall be implemented prior to use of the development and thereafter be permanently retained.

Reason

In order to ensure an adequate level of amenity for future occupiers of the proposed development in accordance with Policy EQ2 Noise Pollution and DES4 Design of Development of the adopted East Herts District Plan 2018.

8. In connection with all site preparation, construction, conversion and ancillary activities, working hours shall be restricted to 08:00 - 18:00 hours on Monday to Friday, 08:00 - 13:00 hours on Saturdays, and not at all on Sundays or Bank / Public Holidays. Vehicles arriving at and leaving the site must do so within these working hours.

Reason

In order to ensure an adequate level of amenity for nearby residents in accordance with Policy EQ2 Noise Pollution of the adopted East Herts District Plan 2018.

9. All waste materials and rubbish associated with construction / conversion shall be contained on site in appropriate containers which, when full, should be promptly removed to a licensed disposal site.

Reason

In order to ensure an adequate level of amenity for nearby residents in accordance with Policy EQ4 Air Quality of the adopted East Herts District Plan 2018.

10. Any external artificial lighting at the development hereby approved shall not exceed lux levels of vertical illumination at neighbouring premises that are recommended by the Institution of Lighting Professionals Guidance Note 9/19 'Domestic exterior lighting: getting it right!'. Lighting should be minimized and glare and sky glow should be prevented by correctly using, locating, aiming and shielding luminaires, in accordance with the Guidance Note.

Reason

In order to ensure an adequate level of amenity for the occupants of nearby properties in accordance with Policy EQ3 Light Pollution and DES4 Design of Development of the adopted East Herts District Plan 2018.

11. All gas-fired boilers shall meet a minimum standard of <40 mgNOx/kWh

Reason

In order to ensure an adequate level of air quality for residents of the new dwellings in accordance with policy EQ4 Air Quality of the adopted East Herts District Plan 2018

12. The dwelling hereby approved shall be constructed and fitted out so that the potential consumption of wholesome water by persons occupying the dwelling will not exceed 110 litres per person per day as measured in accordance with a methodology approved by the Secretary of State. The dwelling shall not be occupied unless the notice of the potential consumption of wholesome water per person per day required by the Building Regulations 2010 has been given to the Local Planning Authority.

Reason: In order to set a higher limit on the consumption of water by occupiers as allowed by regulation 36 of the Building Regulations 2010 and thereby increase the sustainability of the development and minimise the use of mains water in accordance with Policy WAT4 of the East Herts District Plan 2018, the Sustainability SPD and guidance in the NPPF 2021.

13. The development shall be carried out so that the requirements of paragraph M4(2)1 of Schedule 1 of the Building Regulations 2010 (category 2 - accessible and adaptable dwellings) are satisfied.

Reason: In order to ensure the optional requirement of the Building Regulations applies so that new homes are readily accessible and adaptable to meet the changing needs of occupants in accordance with Policy HOU7 of the East Herts District Plan 2018 and guidance in the NPPF 2021.

14. Notwithstanding the details shown on the approved plans, prior to any above ground construction works being commenced, details shall be provided to show the installation of bat/bird boxes on the development.
Reason
In order to enhance biodiversity and create opportunities for wildlife within the surrounding environment in accordance with Policy NE3 of the East Herts District Plan 2018.
15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (As Amended), or any amending Order, no development as described in Schedule 2, Part 1, Classes A, AA, B, and E, shall be undertaken without the prior written permission of the Local Planning Authority.
Reason: To protect the character and appearance of the Green Belt, in accordance with Policies GBR1 and DES4 of the East Herts District Plan 2018.
16. Notwithstanding the provisions of Class A of Part 2, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (As Amended), or any amending Order, the erection, construction, maintenance, improvement or alteration of any gate, fence, wall or other means of enclosure shall not be undertaken on site without the prior written permission of the Local Planning Authority.
Reason: To protect the character and appearance of the Green Belt, in accordance with Policies GBR1 and DES4 of the East Herts District Plan 2018.

Informatives:

1. East Herts Council has considered the applicant's proposal in a positive and proactive manner with regard to the policies of the Development Plan and any relevant material considerations. The balance of the considerations is that permission should be granted.
2. Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website: <https://www.hertfordshire.gov.uk/services/highways-road-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.
3. Obstruction of the highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website: <https://www.hertfordshire.gov.uk/services/highways-road-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

4. Electric vehicle charging point specification for domestic installations cable and circuitry ratings should be of an 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 RCBO should be provided from the main distribution board, to a suitably enclosed termination point within a garage, or an accessible enclosed termination point future connection to an external charging point.

- The electrical circuit shall comply with the electrical requirements of BS7671:2008 as well as conform to the IET code of practise on Electric Vehicle Charging Equipment Installation 2012 ISBN 978-1-84919-515-7.

Additional guidance on charge point installation is available from the Office for Zero Emission Vehicles (<https://www.gov.uk/government/organisations/office-for-zero-emission-vehicles>).

5. Best Practicable Means (BPM) shall be used in controlling dust emissions during all site preparation, construction, conversion and ancillary activities.

6. The applicant is advised that any unsuspected contamination that becomes evident during the development of the site shall be brought to the attention of the Local Planning Authority and appropriate mitigation measures agreed.

7. This planning permission gives no entitlement to affect the public rights of way on the application site. Any diversion, extinguishment or creation of a public right of way needs its own legal authority before any works affecting the right of way can be commenced. Applications for this purpose should be made to Development Control, Wallfields, Pegs Lane, Hertford, SG13 8EQ. Telephone number 01279 655261 ext 1571.

8. This permission does not convey any consent which may be required under any legislation other than the Town and Country Planning Acts. Any permission required under the Building Regulations or under any other Act, must be obtained from the relevant authority or body e.g. Fire Officer, Health and Safety Executive, Environment Agency (Water Interest) etc. Neither does this permission negate or override any private covenants which may affect the land.

This Decision Relates to Plan Numbers:

232 PL02 (Floor Plans - Existing)
232 PL03 (Elevations - Existing)
232 PL04 (Floor Plans - Proposed)
232 PL05 (Elevations - Proposed)
232_PL06H (Proposed Site Plan)
232_PL01D (Location and Site Plan)

Yours sincerely



On Behalf Of Development Management