

Town Clerk
Hertford Town Council
The Castle
Hertford
SG14 1HR

Date: 12th April 2022
Our Ref: 3/21/1405/VAR
Please ask for: Rachael Collard
Telephone: 01279 655261
Email: planning@eastherts.gov.uk

Notice of Decision
Town and Country Planning Act 1990 (as amended).
Planning (listed Buildings and Conservation Areas) Act 1990 (as amended).

Dear Sir/Madam

APPLICATION: 3/21/1405/VAR

PROPOSAL: Variation of condition 2 (approved plans) of planning permission 3/20/1932/FUL - Change window frames colour to upvc dark grey. Removal of utility room and external door to all 5 plots. Plot 1 replace with study and window, addition of window to bathroom. Plots 2 and 3 replace with study. Plots 4 and 5 create internal cupboard, remove external door to bedroom.

AT: Tree Heritage North Road Hertford Hertfordshire SG14 2PW

FOR: Edward Pearce

Further to my earlier consultation regarding this proposal, I write to inform you that this matter was considered by the Council on the 12th 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 by 2nd December 2023.

Reason: To comply with the requirements of Section 73 and 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 and documents listed at the end of this Decision Notice.

Reason: To ensure the development is carried out in accordance with the approved plans, documents drawings and specifications.

3. The development hereby permitted shall not begin (other than above ground demolition) until a scheme to deal with contamination of land/ground gas/controlled waters has been submitted to and approved in writing by the local planning authority. The scheme shall include all of the following measures, unless the local planning authority dispenses with any such requirement specifically in writing:

1. A Phase I site investigation report carried out by a competent person to include a desk study, site walkover, the production of a site conceptual model and a human health and environmental risk assessment, undertaken in accordance with BS 10175: 2011 Investigation of Potentially Contaminated Sites - Code of Practice.
2. A Phase II intrusive investigation report detailing all investigative works and sampling on site, together with the results of the analysis, undertaken in accordance with BS 10175:2011 Investigation of Potentially Contaminated Sites - Code of Practice. The report shall include a detailed quantitative human health and environmental risk assessment.
3. A remediation scheme detailing how the remediation will be undertaken, what methods will be used and what is to be achieved. A clear end point of the remediation shall be stated, and how this will be validated. Any ongoing monitoring shall also be determined.
4. If during the works contamination is encountered which has not previously been identified, then the additional contamination shall be fully assessed in an appropriate remediation scheme which shall be submitted to and approved in writing by the local planning authority.
5. A validation report detailing the proposed remediation works and quality assurance certificates to show that the works have been carried out in full accordance with the approved methodology shall be submitted prior to [first occupation of the development/the development being brought into use]. Details of any post-remedial sampling and analysis to demonstrate that the site has achieved the required clean-up criteria shall be included, together with the necessary documentation detailing what waste materials have been removed from the site.

Reason: To minimise and prevent pollution of the land and the water environment and in accordance with national planning policy guidance set out in section 11 of the National Planning Policy Framework, and in order to protect human health and the environment in accordance with policy EQ1 of the adopted East Herts District Plan 2018.

4. The development hereby permitted shall be carried out in accordance with the external materials of construction listed on the document PJB Planning document titled, "Tree Heritage, North Road, Hertford - LPA reference 3/20/1932/FUL Condition 3 Materials schedule" submitted to the Local Planning Authority on 19th August 2021.

Reason: In the interests of amenity and good design in accordance with Policy DES4 of the East Herts District Plan 2018.

5. The development hereby approved shall be carried out in accordance with the proposed ground levels of the site relative to adjoining land, together with the slab levels and ridge heights of the proposed buildings as shown on drawing number 20.060 Rev P3.

Reason: In the interests of neighbour amenity and good design in accordance with Policy DES4 of the East Herts District Plan 2018.

6. The developers shall ensure that there are appropriate provisions made for the control of dust emanating from the site, so as not to cause undue disturbance to the occupants of nearby residential properties.

Reason

To protect the occupants of nearby residential properties from noise disturbance in accordance with Policy in accordance with policy EQ4 of the adopted East Herts District Plan 2018.

7. The hours of operation for construction and demolition works shall be restricted to 08:00-18:00 Monday to Friday and 08:00-13:00 on a Saturday. No work to take place on Sundays or Public Holidays without the prior written authority of the Local Planning Authority.

Reason

To protect the occupants of nearby residential properties from noise disturbance in accordance with Policy in accordance with policy EQ4 of the adopted East Herts District Plan 2018.

8. 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.

9. The development hereby permitted shall be implemented in accordance with the 'Flood Risk Assessment & SuDS Drainage Strategy Rev E' October 2021 produced by EAS, the 'Maintenance and Management Plan Rev B' October 2021 produced by EAS, and letter dated 7th September 2021 produced by EAS. The development shall thereafter be implemented in accordance with the approved details before the development is occupied.

Reason: In the interests of the management of surface water flows in accordance with Policies WAT1 and WAT5 of the East Herts District Plan 2018.

10. The development hereby permitted shall be carried out in accordance with the details approved under condition application X/21/0063/CND in relation to condition 11 of the original planning permission 3/20/1932/FUL.

Reason: To ensure that the development takes place in a comprehensive manner having due regard for highway safety and capacity and to ensure that the impact of construction traffic on the local road network is minimised in accordance with policy TRA1 of the East Herts District Plan 2018.

11. Notwithstanding the approved plans, details of landscaping shall be submitted to and approved in writing and shall include full details of both hard and soft landscape proposals (including a native species hedgerow to the front boundary of the site), finished levels or contours, hard surfacing materials, retained landscape features, planting plans, schedules of plants, species, planting sizes, density of planting and implementation timetable and thereafter prior to the occupation of the development the scheme shall be implemented in accordance with the approved details.

Reason

To ensure the provision of amenity afforded by appropriate landscape design in accordance with Policies DES3 and DES4 of the East Herts District Plan 2018.

12. All hard and soft landscape works shall be carried out in accordance with the approved details. Any trees or plants that, within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation.

Reason

To ensure the provision, establishment and maintenance of a reasonable standard of landscaping in accordance with the approved designs, in accordance with policies DES3 and DES4 of the East Herts District Plan 2018.

13. The development hereby permitted shall be carried out in accordance with the Landscape Ecological Management Plan (LEMP) dated 30th September 2021 prepared by Jones & Sons Environmental Sciences.

Reason: To ensure the protection of wildlife and supporting habitat and secure opportunities for enhancing the site's nature conservation value in line with NPPF paragraphs 170 and 175, adopted Policies NE2 and NE3 of The East Herts District Plan 2018, and the Thames River Basin Management Plan.

14. The development hereby approved shall be carried out in accordance with the recommendations for mitigation, compensation and enhancement measures specified within Sections G and H of the Ecological Impact Assessment focusing on protected species (Jones & Sons Environmental Sciences, 19 August 2020); and the recommendations of the Preliminary Ecological Appraisal and Bat Scoping Survey (Geosphere Environmental, 25 September 2020), and subsequently maintained as such, in perpetuity.

Reason

To ensure the protection of wildlife and supporting habitat and secure opportunities for enhancing the site's nature conservation value in line with NPPF paragraphs 170 and 175, adopted Policies NE2 and NE3 of The East Herts District Plan 2018, and the Thames River Basin Management Plan.

15. The development hereby permitted shall be carried out in accordance with the details approved under condition application X/21/0063/CND in relation to condition 24 of the original planning permission 3/20/1932/FUL.

Reason

To ensure the protection of wildlife and supporting habitat in line with the objectives of Section 15 of the NPPF, adopted Policies NE2 and NE3 of The East Herts District Plan 2018, and the Thames River Basin Management Plan.

16. 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 of the adopted East Herts District Plan 2018

17. The development hereby approved shall not be occupied until one electric charging point per unit dwelling has been provided.

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

18. Prior to the first occupation of the development hereby approved, the cycle parking facilities proposed in connection with the development shall be undertaken in accordance with drawing number 20.050 Rev P3 and retained in that form thereafter.

Reason: To promote the use of sustainable transport modes, in accordance with Policy TRA1 of the East Herts District Plan 2018.

19. Prior to the first occupation of the development hereby approved, facilities for the storage and removal of refuse from the site shall be undertaken in accordance with drawing number 20.040 Rev P3.

Reason: In the interests of amenity and good design in accordance with Policy DES4 of the East Herts District Plan 2018.

20. Before first occupation of the approved development, the altered access arrangement onto North Road shall be completed in accordance with the approved in principle plan (Ref- SK05, Rev-F) and constructed to the specification of the Highway Authority and to the Local Planning Authority's satisfaction.

Reason. To ensure that the access and proposed roadworks within the highway are constructed to an adequate standard.

21. Prior to the first occupation of the development hereby permitted a visibility splay shall be provided in full accordance with the details indicated on the approved plan number (Ref- Sk05, Rev-F). The splay shall always thereafter be maintained free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

Reason: To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018) and Roads in Hertfordshire, Section 4, 2.3

22. The dwellings hereby permitted shall not be occupied until the internal road's layouts, parking spaces and vehicle manoeuvring areas clear of the public highway illustrated on the approved plan (Ref- 20.001 Rev-P09) have been constructed. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway

Reason: To enable vehicles to draw off, park and turn outside the highway limits thereby avoiding in accordance with policy TRA2 of the East Herts District Plan 2018

23. Prior to the first occupation of the development hereby approved, all boundary treatments shall be undertaken in accordance with drawing number 20.030 Rev P4 and thereafter the development should be retained in accordance with the approved details.

Reason: In the interests of amenity and good design, in accordance with Policy DES4 of the East Herts District Plan 2018.

24. No external lighting shall be provided without the prior written permission of the Local Planning Authority.

Reason

In the interests of protecting against light pollution in accordance with Policy EQ3 of the East Herts District Plan 2018.

25. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (As Amended), or any amending Order, the enlargement, improvement or other alteration of any dwellinghouse as described in Schedule 2, Part 1, Classes A, AA, and B of the Order shall not be undertaken without the prior written permission of the Local Planning Authority.

Reason: To protect the openness of the Green Belt, in accordance with Policies GBR1 and DES4 of the East Herts District Plan 2018.

26. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (As Amended), or any amending Order, no works or development as described in Schedule 2, Part 1, Class E of the Order shall be undertaken without the prior written permission of the Local Planning Authority.

Reason: To protect the openness of the Green Belt, in accordance with Policies GBR1 and DES4 of the East Herts District Plan 2018.

Informatives:

1. 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.

2. The development will involve the numbering of properties and naming of new streets. The applicant **MUST** consult the Director of Finance and Support Services. Application for this purpose should be made to the Local Land and Property Gazetteer Custodian, East Herts Council, Wallfields, Hertford, SG13 8EQ. Tel: 01279 655261.

3. The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culvert (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03702 422 549. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

4. Construction standards for works within the highway: The applicant is advised that in order to

comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to

obtain their permission and requirements. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-inf>

ormation/development-management/highways-development-management.aspx or by telephoning 0300 1234047.

5. Construction standards for new/amended vehicle access: Where works are required within the

public highway to facilitate the new or amended vehicular access, the Highway Authority require the

construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. If any of the works associated with the

construction of the access affects or requires the removal and/or the relocation of any equipment,

apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority

equipment etc.) the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission, requirements and for the work to be carried out on the applicant's behalf. Further information is available via the website

6. 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-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

7. Obstruction of public 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-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.




8. 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.

This Decision Relates to Plan Numbers:

20.001 P09 (Proposed Site Plan)
20.010 P05 (Floor/Elevation - Proposed)
20.011 P04 (Floor/Elevation - Proposed)
20.012 P04 (Floor/Elevation - Proposed)
01.000 P03 (Location Plan)
20.030 rev P4 (Boundary Treatment) (Other)
20.040 rev P3 (Refuse Strategy) (Other)
20.050 rev P3 (Cycle Storage) (Floor/Elevation - Proposed)
20.060 rev P3 (Site Levels) (Other)
SK09 REV E (Site Plan (as approved))
SK05 REV F (Site Plan (as approved))

Development Management

➡ 01279 655261
➡ www.eastherts.gov.uk
➡ East Herts Council, Wallfields, Pegs Lane, Hertford, SG13 8EQ

 EastHertsDC
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 easthertscouncil



Preliminary Ecological Appraisal and Bat Scoping Survey (Geosphere Environmental)
25.09.2020 (Other)
PJB Planning Materials Schedule (Other)
Flood Risk Assessment & SuDS Drainage Strategy Rev E (Other)
Maintenance and Management Plan Rev B (Other)
Landscape Ecological Management Plan (LEMP) (Other)
Ecological Impact Assessment Jones & Sons Environmental Services Ltd 19.08.2020
(Other)

Yours sincerely

A handwritten signature in black ink, consisting of a stylized 'S' or 'J' shape.

On Behalf Of Development Management