North Herts Council

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NORTH HERTFORDSHIRE DISTRICT COUNCIL

Town and Country Planning Act 1990

DECISION NOTICE

Correspondence Address:
Rapleys LLP
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Birmingham
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Applicant:
BDW Trading Ltd

PARTICULARS OF DEVELOPMENT

Application: 18/01154/OP

Proposal: Outline application with all matters reserved other than access, comprising residential led development of up to 700 dwellings of use class C3 (dwellings), approximately 500 sqm of neighbourhood-level facilities, a new 2FE primary school, open space, play space, green infrastructure, and associated accesses (vehicular, pedestrian and cycle), including a new primary access off Stotfold Road with limited access off High Dane (as amended).

Location: Land North Of Highover Farm To Stotfold Road, Highover Way, Hitchin, Hertfordshire,

Plan Nos: 62240435-TAA-DP-100-001 P09 62240435-TAA-DP-100-002 P12 62240435-TAA-DP-100-003 P10 62240435-TAA-DP-100-004 P10 PL1685-PLA-00-XX-DR-U-002-S4-P01 PL1685-PLA-00-XX-DR-U-007-S4-P05 PL1685-PLA-00-XX-DR-U-015-S4-P01 PL1685-PLA-00-XX-DR-U-016-S4-P01 PL1685-PLA-00-XX-DR-U-017-S4-P01 PL1685-PLA-00-XX-DR-U-018-S4-P01 PL1685-PLA-00-XX-DR-U- 103-S4-P01 PL1685-PLA-00-XX-DR-U-108-S2-P04 62240435-TTP-DP-300-001-02 Rev P07

PARTICULARS OF DECISION

In pursuance of its powers under the above Act and the associated Orders and Regulations, the Council hereby **GRANT PERMISSION** for the development proposed by you in your application received with sufficient particulars on 19 June 2018 subject to the following condition(s):

'Development Parcel' means a phase or part of the development excluding Enabling and Associated Works. For instance, this would include a phase or part of the development comprising housing, a local centre, a primary school, allotments and/or play areas

'Enabling and Associated Works' means the preparation of a site in readiness for the first stage of development: this includes (i) surveying, (ii) environmental and hazardous substance testing and sampling (including the making of trial boreholes, sampling and test pits in connection with such testing) (iii) soil tests, (iv) pegging out, (v) tree protection, (vii) ecological survey and mitigation works, (vii) archaeological investigation and (vi) demolition and removal of buildings and other structures on the site and site set up.

Planning Conditions

1. Application for approval of the first reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission, and the development hereby permitted shall be begun before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.

   Reason: To comply with the provisions of Section 92 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 in accordance with the details specified in the application and supporting, approved documents and plans, together with the reserved matters approved by the Local Planning Authority, or with minor modifications of those details or reserved matters which previously have been agreed in writing by the Local Planning Authority as being not materially different from those initially approved.

   Reason: To ensure the development is carried out in accordance with details which form the basis of this grant of permission or subsequent approval of reserved matters.

3. No part of the built development hereby permitted shall be commenced on a development parcel within a particular development parcel or sub-phase (as referred to in condition 5 Phasing and Delivery) until full details of the layout, scale, appearance and landscaping within the parcel (hereinafter referred to as reserved matters) have been submitted to and approved in writing by the Local Planning Authority.

Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 and the provisions of the Town and Country Development Management Procedure Order 2015 and to ensure high quality urban design and co-ordinated development.

4. The number of homes and floorspace of land uses as set out below shall not be exceeded pursuant to this planning permission:
Residential (Use Class C3) - up to 700 residential dwellings
Flexible mixed use, neighbourhood level facilities: Classes E (a)(b)(c) - up to 500 sq.m

Reason: To ensure that the development is completed within the scope of the approved parameter upon which the application has been assessed, in accordance with the requirements of section 51 of the Planning and Compulsory Purchase Act 2004.

5. Prior to or concurrently with the submission of the first reserved matters application a Site Wide Phasing and Delivery Plan which accords with the s106 triggers and Transport Mitigation Phasing Strategy has been submitted to and approved in writing by the local planning authority. Thereafter each subsequent reserved matters application for any phase (or part thereof) shall be accompanied by an updated programme or statement of compliance with the approved strategy for subsequent approval by the local planning authority.

The development shall be carried out in accordance with the approved Phasing Plan unless there are unforeseen events / obstacles to delivery and alternative timing for provision is agreed in writing by the Local Planning Authority.

All reserved matters submissions shall be in accordance with the Site Wide Phasing and Delivery Plan as approved by the Local Planning Authority, unless otherwise agreed with the Local Planning Authority. Any references to a Phase of the development within this permission shall be taken to be a reference to phases as identified within the Site Wide Phasing and Delivery Plan submitted under this condition.

The Site Wide Phasing and Delivery Plan shall include but not be limited to the sequence of providing the following elements:

a) Residential development parcels;
b) Location of self-build plots
c) A programme for the delivery of public transport infrastructure;
d) Major distributor roads/routes within the site, including timing of provision and opening of access points into the site;
e) Strategic footpaths and cycleways;
f) Primary school (playing pitches), community/neighbourhood centre facilities
g) Strategic foul and surface water features and SUDS;
h) Formal and informal public open space, park/square, allotments, parks, NEAP and LEAP;
i) Strategic/structural landscaping
j) Strategic electricity, telecommunications and gas networks;
k) Infrastructure for the provision of fibre optic cables;
l) Environmental mitigation measures
m) Off-site highway improvements.

Reason: To secure comprehensive, co-ordinated and sustainable development and assist with the determination of subsequent reserved matters applications in order to ensure that infrastructure provision and environmental mitigation are provided in time to cater for the needs and impacts arising out of the development, in accordance with Policy SP1, SP9 and SP17

6. Prior to or concurrently with the submission of the first reserved matters application(s) a Site Wide Design Code shall be submitted to the Local Planning Authority for approval. No development shall commence except enabling and associated works until the Design Code has been approved in writing by the Local Planning Authority in consultation with Hertfordshire County Council (as highway authority, education authority and LLFA). The Design Code shall be prepared in accordance with the approved parameter plans established in this outline permission and build upon the Strategic Masterplan and Design and Access Statement. The Design Code shall include:

1. Vision for Development and Place-making Objectives

2. Framework Masterplan

3. Character Assessment of the Local Area

4. Nature
(a) The green space network including the design and approach to the character and treatment of each green space and corridor with regards to:
- formal and informal green space
- hard and soft landscaping
- removal of existing vegetation and trees
- treatment of existing and retained hedgerows and trees (buffer design)
- new tree planting
- habitat creation
- SUDS arrangements
- strategic earth modelling and mounding
- boundary treatment
- footpaths and cycleways/crossings within or adjacent to green space

5. Movement
(b) The street network and hierarchy and design specifications, including:
- public transport infrastructure
- key junction design
- traffic management and calming
- pedestrian /cycle crossing treatment
- bus only section, bus gate location and operation, modal filters and associated vehicular turning area treatments

(c) Typical cross sections of street types to include details of footways, cycleway, kerb treatment, tree planting, tree species, sustainable urban drainage, landscaping, service corridors and on street parking
(d) Extent of highway to be offered for adoption
(e) The design treatment of footpaths and cycleways through the site and off-site
(f) Vehicular and cycle parking design across the site for residents and visitors

6. Uses Primary School

(g) Design approach to the disposition, orientation, setback, massing and height of building, playing fields, landscaping and associated public realm
(h) Design approach to active frontage, primary entrances and architectural principles
(i) Design approach to vehicular, pedestrian and cycle access and parking Neighbourhood Centre
(j) Approach to disposition of building, setbacks and height, associated landscaping and public realm
(k) Approach to vehicular, pedestrian and cycle access, parking and servicing and hard and soft landscaping

7. Built Form
(l) Block principles to establish use, density, building typologies, building line, primary frontages, pedestrian access points, fronts and backs, setbacks, space between buildings, landscaping, gardens, parking typologies and design, boundary treatments
(m) Key groupings, landmark and marker buildings including specification on frontage character, heights, scale, form, level of enclosure, architectural principles and features
(n) Principles of elevational treatment, architectural principles and building materials

8. Public Space
(o) The conceptual design and approach to the public realm with reference to surfacing and materials, boundary treatment, landscaping and planting, signage, and street furniture
(p) The conceptual design and approach to the lighting strategy and how this will be applied to different areas of the development with different lighting needs so as to maximise energy efficiency, minimise light pollution, protect wildlife and avoid street clutter
(q) Details of waste and recycling provision for all building types and recycling points

9. Homes & Buildings
(r) Specifications for space standards, accessibility, lighting, aspect, privacy, secured by design and garden space
(s) Approach to incorporation of ancillary infrastructure such as sub stations, pipes, flues, EV charging points, fibres, wires and cables as required by statutory undertakers

10. Resources
(t) Measures to demonstrate how the design can maximise resource efficiency through energy efficiency standards, on-site renewables and reduced water consumption and climate change adaptation through external passive means such as landscape, orientation, massing and external building features

11. Stewardship
(u) Details of adoption, management and maintenance arrangements of highways, footpaths, cycleways, green space and public realm

The Design Code shall explain its purpose, structure and status and set out the mandatory and discretionary elements where the Design Code shall apply, who should use the Design Code and how to use the Design Code. Details of the

Design review procedure and of circumstances where a review of the Design Code shall be implemented. All subsequent reserved matters applications shall accord with the details of the approved Design Code and be accompanied by a statement which demonstrates compliance with the code. There shall be no variation or amendment to the approved Design Code unless this is formally agreed in writing by the Local Planning Authority.

Reason: To ensure high quality design and co-ordinated phased development in accordance with Policy SP9 Design and Sustainability and D1 Sustainable Design in the North Hertfordshire Local Plan and Section 12 of the NPPF, National Design Guide and National Model Design Code and to mitigate and minimise any negative impact on the significance and setting of the Grade II listed Threshing Barn.

7. All reserved matters applications for each development parcel or sub-phase shall include full details in relation to the design of estate roads (in the form of scaled plans and / or written specifications) shall be submitted to and approved in writing by the Local Planning Authority to detail the following:
   a. Roads;
   b. Footways;
   c. New pedestrian and cycle accesses into the site;
   d. Cycleways (compliant with LTN 1/20);
   e. External public lighting;
   f. Minor artefacts, structures and functional services;
   g. Foul and surface water drainage;
   h. Visibility splays;
   i. Access arrangements including temporary construction access
   j. Hard surfacing materials;
   k. Parking areas for vehicles and cycles;
   l. Loading areas; and
   m. Turning and circulation areas.

   The development shall be implemented in accordance with those approved plans.

   Reason: To ensure suitable, safe and satisfactory planning and development of the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan 2018.

8. Any reserved matters applications which incorporate allotment provision shall where appropriate include the following details:
   a) A plan of the allotments, principles of plot layout and design providing for a range of plot sizes designed to allow flexibility to meet the needs of future plot holders; areas for communal storage of, for example, manure and compost;
   b) Proposed management arrangements;
   c) Access and parking arrangements to allow easy and safe access to the allotments;
   d) Boundary treatment, including security arrangements for the allotments;
   e) Water supply, including use of stored rainwater and SuDS for watering crops.

   The provision of allotments shall be carried out in accordance with the approved details and in accordance with the approved phasing programme.

Reason: To ensure that appropriate allotments are provided in relation to the development of the site in accordance with North Hertfordshire Local Plan Policy NE6.

9. No development shall commence within a development phase until the artificial lighting scheme for that development phase has been approved in writing by the Local Planning Authority. The approved lighting scheme for that phase shall be installed, maintained and operated in accordance with the approved details / measures for that phase unless the Local Planning Authority gives its written consent to any variation.

   Reason: To protect the character and appearance of the area and the amenity of existing and future residential properties in accordance with NPPF paragraphs 120 and 125 and North Hertfordshire Local Plan Policy D3.

10. Any reserved matters application pursuant to this outline permission for a development phase shall provide full details of the on-site storage facilities for waste including waste for recycling and/or composting. Such details shall identify the specific positions of where wheeled bins will be stationed, and the specific arrangements to enable collection from within 15m of the kerbside of the adopted highway/refuse collection vehicle access point and walk distances for residents. The approved facilities shall be provided prior to the commencement of the use hereby permitted and shall be retained thereafter unless alternative arrangements are agreed in writing by the local planning authority.

    Reason: To facilitate refuse and recycling collections, and to protect the amenities of nearby residents/occupiers and in the interests of visual amenity in accordance with North Hertfordshire Local Plan Policies D1 and D3.

11. All reserved matters applications for any development parcel or sub-phase shall include the follow design details:

    Soft Landscape

    a) Details of trees, hedgerows, habitats, ponds and other natural features it is proposed to retain or remove and details of how they will be protected during the construction phase. Such details to include the tree protection measures in accordance with BS5837:2012.
    b) Full details of planting plans and written specifications, including cultivation proposals for maintenance and management associated with plant and grass establishment, details of the mix, size, distribution, density and levels of all trees/hedges/shrubs to be planted and the proposed time of planting. The planting plan shall use botanic names to avoid misinterpretation. The plans should include a full schedule of plants;
    c) 1:100 plans (or at a scale otherwise agreed) with cross-sections of mounding, ponds, ditches and swales and proposed treatment of the edges and perimeters of each development phase;
    d) The landscape treatment of roads (primary, secondary, tertiary and green) through each development phase;
    e) A specification for the establishment of trees within hard landscaped areas including details of space standards (distances from buildings etc.), tree pit details and details of the species, number and spacing of trees and shrubs;
    f) The planting and establishment of structural landscape to be provided in advance of all or specified parts of the site as appropriate;

g) Full details of any proposed alterations to existing watercourses/drainage channels and details of any water features;
h) Details and specification of proposed earth modelling, mounding, re-grading and/or embankment areas or changes of level across the site to be carried out including soil quantities, topsoil storage to BS 3882 : 2007, haul routes, proposed levels and contours to be formed, sections through construction to show make-up, and timing of works;
i) A specification for the Topsoil Strip, storage, re-spread and remediation in accordance with Defra : Construction Code of Practice for the Sustainable Use of Soils on Construction Sites.

Hard Landscape
j) Full details, including cross-sections, of all bridges and culverts;
k) The location and specification of minor artefacts and structures, including furniture, refuse or other storage units, signs and lighting columns/brackets;
l) 1:200 plans (or at a scale otherwise agreed) including cross sections, of roads, paths and cycleways;
m) Details of all hard surfacing materials (size, type and colour).

No subsequent alterations to the approved landscape details are to take place unless submitted to and approved in writing by the Local Planning Authority. The landscape within each Development Phase shall be implemented in accordance with the approved landscape details for that Development Parcel or Strategic Engineering and Landscape Element.

Reason: In the interests of the amenity of residents and to ensure that a detailed approach to the development of the built-up area (or parcels thereof) is agreed, in order to safeguard the setting of the site and its surroundings, and to ensure a suitable relationship and integration of the built development with its surroundings in accordance with the North Hertfordshire Local Plan Policies SP9, SP17, NE2 and NE6.

12. Prior to or concurrently with each reserved matters submitted in each phase identified in Condition 5 Phasing and Delivery a sustainability strategy shall be submitted to the Local Planning Authority for approval addressing renewable energy, reducing carbon emissions and water conservation.

Reason To reduce carbon dioxide emissions and promoting principles of sustainable construction and the efficient use of buildings in accordance with North Hertfordshire Local Plan Policies SP9 and D1 and the Sustainability SPD 2024.

13. Prior to or concurrent with the first reserved matters submitted in each phase identified in Condition 5 Phasing and Delivery a detailed Open Space Management and Maintenance Scheme for the management and maintenance of all areas of open space (to include parks, greenways, allotments, play areas, informal open space, semi-natural green space, public squares) shall be submitted to and agreed in writing by the Local Planning Authority and implemented in accordance with an agreed timetable and approved phasing strategy . Details to be submitted shall include:
a) Details of landscape management and maintenance plans;
b) Details of planting, grass cutting, weeding and pruning;

c) Management of sustainable urban drainage features;
d) Management of biodiversity enhancements;
e) Inspection, repair and maintenance of all hard landscaping and structures;
f) Management, monitoring and operational restrictions; and
g) Maintenance and planting replacement programme for the establishment period of landscaping.

The open spaces provided shall be retained for their intended purpose and in accordance with the approved management plan unless otherwise agreed in writing by the local planning authority.

Reason: To ensure adequate open space and amenity provision as per North Hertfordshire Local Plan Policy NE6.

14. Prior to the commencement of development, a Site Waste Management Plan (SWMP) shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Waste Planning Authority. The SWMP should aim to reduce the amount of waste being produced on site and should contain information including estimated and actual types and amounts of waste removed from the site and where that waste is being taken to. The development shall be carried out in accordance with the approved details.

Reason: To seek to reduce waste from the site, both during and after construction, in accordance with Policies 1, 2 and 12 of the adopted Hertfordshire Waste Core Strategy and Development Management Policies Development Plan Document 2012.

15. 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 Highover Farm Hitchin, Flood Risk Assessment and Drainage Strategy, Revision 5, dated 12/12/19, prepared by WSP and the Drawing titled: Drainage Construction Sequencing Plan, Drawing No. 62240435-TTP-DP-300-001-02, Rev P07, dated February 2020. The scheme shall also include:
1. Detailed infiltration tests to BRE Digest 365 standard carried out at the exact location and depth of the proposed infiltrating features
2. Updated calculations for storage based on detailed infiltration testing.
3. Provision of a SuDS design code for the entire site securing the provision of above ground SuDS features throughout the entire development for all and each phase.
4. Detailed engineered drawings of the proposed SuDS features including their location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling to ensure the scheme caters for all rainfall events up to and including the 1 in 100 year + 40% allowance for climate change event.
5. Provision of half drain down times within 24 hours.
6. Details on silt management, ensuring the protection of infiltration as a means of discharge.
7. Demonstrate appropriate SuDS management and treatment and inclusion of above ground features such as permeable paving, swales etc. for the paved areas ensuring the lack of requirement for any underground storage.

Reason: To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site in accordance with North Hertfordshire Local Plan Policies SP9 and SP11 and Section 14 of the NPPF 2023.

16. No development shall take place until the Site Investigation works as set out in the approved WSI (prepared by Orion dated may 2023, ref PN3519) have been completed by an Archaeological Contractor Registered with the CIfA. The development shall not be occupied until the Site Investigation works as set out within the approved WSI have been completed and signed off by the local planning authority/county archaeologist. Thereafter, the post-excavation analysis and archive report shall be completed in accordance with the approved WSI and submitted for approval to the local planning authority within one calendar year of the date of this planning permission, together with confirmation in writing to the planning authority/county archaeologist, that provision has been made for publication, and for deposition of the archive, where appropriate.

    Reason: The ensure the implementation of an appropriate archaeological investigation, recording, reporting and publication, and the protection and preservation of archaeological features of significance, in accordance with North Hertfordshire Local Plan Policy HE4 and Section 16 of the NPPF 2023.

17. No development apart from enabling and associated works shall commence until details shall be submitted to the Local Planning Authority in consultation with the Highway Authority relating to the design and operation of a bus gate preventing the through movement of general vehicular trips from High Dane to Stotfold Road.

    Reason: To ensure that sustainable travel options associated with the development are promoted and maximised to be in accordance with Policies 3, 5, 7, 8, 9 and 10 of Hertfordshire's Local Transport Plan (adopted 2018).

18. No development apart from enabling and associated works, shall commence until a Construction Traffic Management Plan (in accordance with the best practice guidelines as described in the Construction Logistics and Community Safety (CLOCS) Standard), has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan, unless otherwise agreed in writing by the LPA. The Construction Traffic Management Plan shall include details of:
    i. Phasing of the development of the site, including all highway works;
    ii. Details of temporary access points for construction vehicles
    iii. Construction vehicle numbers, type, routing;
    iv. Traffic management requirements;
    v. Construction and storage compounds (including areas designated for car parking);
    vi. Siting and details of wheel washing facilities;
    vii. Cleaning of site entrances, site tracks and the adjacent public highway;
    viii. Timing of construction deliveries to avoid school pick up/drop off times; and
    ix. Provision of sufficient on-site parking prior to commencement of construction activities.

    Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

19. No development apart from enabling and associated works shall take place until details of a scheme for the provision of fire hydrants to serve the relevant phases of the development has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority. The provision and installation of fire hydrants, at no cost to the County or Fire & Rescue Service.

    Reason: To ensure all proposed dwellings have adequate water supplies for in the event of an emergency in accordance with North Hertfordshire Local Plan Policies SP1 and SP7.

20. (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; if required as a result of (a), above; has been submitted to and approved by the Local Planning Authority.

    (c) Each phase of the development 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 (b) above have been fully completed for that phase 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 each relevant phase of the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority.

    (d) If, during development of each phase, contamination not previously identified is found to be present at the site then no further development of that phase (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

    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 in accordance with North Hertfordshire Local Plan Policies SP11, SP17 and NE11, and Section 15 of the NPPF 2023 and the Environment Agency's approach to groundwater protection.

21. Development apart from enabling and associated works shall not commence until a landscape and ecological management plan (LEMP) has been submitted to, and approved in writing by, the local planning authority. The content of the LEMP shall

ensure the delivery of the agreed number of habitat and hedgerow units in the approved biodiversity metric (104.49 habitat units, 31.89 hedgerow units) to achieve a net gain in biodiversity and include the following.

a) Description, areas and evaluation of features to be managed, marked on plans.
b) Compensation and Habitat creation as proposed and detailed in the environmental statement 'ecology and conservation'.
c) Aims and objectives of management.
d) Appropriate management options for achieving target condition for habitats as described in the approved metric, directly cross referenced to lines in the approved metric.
e) Details of the make, model, and location of a minimum of integrated bat and swift boxes in appropriate buildings has been supplied to and approved by the LPA. These should be clearly marked on plans. Boxes shall be fully installed prior to occupation and retained as such thereafter.
f) Prescriptions for management actions, only definitive measures are acceptable.
g) Preparation of a work schedule if applicable (including a 5 year work plan and 30 year work schedule, capable of being rolled forward in perpetuity).
h) Details of the body or organisation responsible for implementation of the plan.
i) Ongoing monitoring plan and remedial measures to ensure approved habitat condition targets are met.
j) Details of species selected to achieve target habitat conditions as identified in approved metric, definitively stated and marked on plans.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved plan will be implemented in accordance with the approved details.

Reason: To conserve and enhance biodiversity in accordance with the NPPF and North Hertfordshire Local Plan Policy NE4.

22. Prior to the first occupation of the dwellings within each development parcel of the development, full details shall be submitted to and approved in writing by the Local Planning Authority in relation to the proposed arrangements for future management and maintenance of the proposed streets within that Parcel. Following the provision of such streets, the streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established in accordance with the approved details.

Reason To ensure that any future management arrangements for the various elements of the transport network are in accordance with Policy SP9 of the Local Plan and Policy 5 of Hertfordshire's Local Transport Plan 2018.

23. Prior to the first occupation of the development hereby permitted, vehicular and pedestrian access to and egress from the adjoining highway shall be limited to the access(es) shown on drawing number 62240435-TAA-DP-100-001 Rev P09 General Arrangement only. Any other access(es) or egresses shall be permanently closed (except construction accesses), and the highway verge shall be reinstated in accordance with a detailed scheme to be agreed with the Local Planning Authority, concurrently with the bringing into use of the new access.

Reason: To ensure construction of a satisfactory development and in the interests of highway safety and amenity in accordance with Policies 5 and 7 of Hertfordshire's Local Transport Plan (adopted 2018).

24. Prior to occupation, each of the proposed new dwellings shall incorporate an Electric Vehicle (EV) charging point. Details of which shall be submitted to an approved in writing by the Local Planning Authority. Proposals should also be made for the provision of EV charging within other public parking areas of the proposed development. The charging points shall be retained thereafter.

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 in accordance with North Hertfordshire Local Plan Strategic Objective ENV4 and Policy SP9 and D4.

25. Prior to first use of (each of the different Class Uses of) any non-residential development hereby permitted, a scheme including noise control measures shall be submitted for approval to the Local Planning Authority to demonstrate that the rating level of sound emitted from any external fixed plant and/or machinery associated with the development shall not exceed the existing background level inclusive of any penalty for tonal, impulsive or other distinctive acoustic characteristics when measured or calculated according to the provisions of BS4142:2014+A1:2019 (Method for rating and assessing industrial and commercial sound) and/or its subsequent amendments. The scheme shall be such that the combined noise level of all plant shall not exceed the Rating levels detailed in Table 12.10 of Environmental Statement Chapter 12 on Noise and Vibration. No plant shall be installed and operated at the site until the noise survey has been approved by the LPA.

Reason: To ensure an adequate level of amenity for residents of the new and existing dwellings in accordance with North Hertfordshire Local Plan Policy D3.

26. 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 in accordance with North Hertfordshire Local Plan Policy NE1 and Section 14 of the NPPF 2023.

27. Piling or any other foundation designs and investigation boreholes using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with NPPF paragraphs 109, 120, 121, North Hertfordshire Local Plan Policies NE8 and NE11, and the Environment Agency's approach to groundwater protection.

28. The development permitted by this planning permission shall be carried out in accordance with the Highover Farm Hitchin, Flood Risk Assessment and Drainage Strategy, Revision 5, dated 12/12/19, prepared by WSP and the Drawing titled: Drainage Construction Sequencing Plan, Drawing No. 62240435-TTP-DP-300-001-02, Rev P07, dated February 2020 and the following mitigation measures:

1. Provide attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + 40% for climate change event. Attenuation volume for the entire site to be provided as part of Phase 1: a. Infiltration Basin Volume: 12,509m3 b. Detension Basin Volume: 3365m3
2. Implement drainage strategy based on above ground SuDS features such as swales, permeable paving, infiltration basin and detension basin, with discharge via infiltration.

Reason: To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site in accordance with North Hertfordshire Local Plan Strategic Objective ENV4 and Policy SP11 and NE7, and Section 14 of the NPPF 2021.

29. Upon completion of the drainage works for the site and in accordance with the timing / phasing arrangements, the following must be submitted to and approved in writing by the Local Planning Authority (for each phase):

1. Provision of a verification report (appended with substantiating evidence demonstrating the approved construction details and specifications have been implemented in accordance with the surface water drainage scheme). The verification report shall include photographs of excavations and soil profiles/horizons, installation of any surface water structure (during construction and final make up) and the control mechanism.
2. Provision of a complete set of as built drawings for site drainage.
3. A management and maintenance plan for the SuDS features and drainage network.
4. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site in accordance with North Hertfordshire Local Plan Policies SP9 and SP11 and Section 14 of the NPPF 2023.

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. The construction works and operation of the proposed development site should be done in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the groundwater pollution risk. It should be noted that the construction works may exacerbate any existing pollution. If any pollution is found at the site, then the appropriate monitoring and remediation methods will need to be undertaken.

   Any works involving excavations below the groundwater table (for example, piling or the implementation of a geothermal open/closed loop system) should be avoided. If these are necessary, a ground investigation should first be carried out to identify appropriate techniques and to avoid displacing any shallow contamination to a greater depth, which could impact the aquifer.

   For further information we refer you to CIRIA Publication C532 "Control of water pollution from construction - guidance for consultants and contractors".

   Water efficiency
   Being within a water stressed area, we expect that the development includes water efficient fixtures and fittings. Additional measures such as rainwater harvesting and grey water recycling help the environment by reducing pressure for abstractions. They also minimise potable water use by reducing the amount of potable water used for washing, cleaning and watering gardens. This in turn reduces the carbon emissions associated with treating this water to a standard suitable for drinking and will help in our efforts to get emissions down in the borough.

   Infrastructure, connections and diversions
   It is noted that the applicant has had contact with our Developer Services Team prior to the submission of this application, as set out in the submitted utility statement.

   There are potentially water mains running through or near to the proposed development site. If the development goes ahead as proposed, the applicant/developer will need to get in contact with our Developer Services Team to discuss asset protection or diversionary measures. This can be done through

the My Developments Portal (https://affinitywater.custhelp.com/) or aw_developerservices@custhelp.com.

Due to its location, Affinity Water will supply drinking water to the development if it is constructed. Should planning permission be granted, the applicant is also requested to contact Developer Services as soon as possible regarding supply matters due to the increased demand for water in the area resulting from this development.

To apply for a new or upgraded connection, please contact our Developer Services Team by going through their My Developments Portal (https://affinitywater.custhelp.com/) or aw_developerservices@custhelp.com. The Team also handle C3 and C4 requests to cost potential water mains diversions. If a water mains plan is required, this can also be obtained by emailing maps@affinitywater.co.uk. Please note that charges may apply.

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

   The EP Team has a web-page that aims to provide advice to developers, which includes a copy of a Planning Advice Note on "Development on Potentially Contaminated Land and/or for a Sensitive Land Use" in use across Hertfordshire and Bedfordshire. This can be found on www.north-herts.gov.uk by searching for contaminated land

3. Further advice on waste provision for developments is available on our website. http://www.north-herts.gov.uk/home/planning/waste-and-recycling-provision this included details of the required capacity at each property.

   Dropped kerbs should be provided to allow for ease of movement of bins to the collection vehicle and the pathway should be 1.5m in width taking the most direct route avoiding passing parked cars.

   Storage areas should be conveniently located with easy access for residents - residents should not have to take their waste and recycling more than 30 metres to a bin storage area, or take their waste receptacles more than 25 metres to a collection point, (usually kerbside) in accordance with Building Regulations Approved Document H Guidance.

   For flats, bins should be ordered direct from the Council's contractor 10 weeks in advance of first occupation to ensure they arrive in time for the first residents moving in.

   For houses, bins should be ordered direct from the Council's contractor 2 weeks in advance of first occupation to ensure they arrive in time for the first residents moving in.

   Pull distances from the storage point to the collection point should not be within close proximity to parked cars.

   The applicant should note that collections occur from the kerbside and residents will be required to present their bins in this location on collection day.

Consideration should be given to parking arrangements alongside or opposite the access to individual streets. If car parking is likely in the vicinity of junctions then parking restrictions may be required to ensure access is not inhibited.

Separate internal storage provision for waste should be provided in kitchen areas to support the recycling of different waste streams to support the National Planning Policy for Waste's requirements to support driving waste up the waste hierarchy.

The surface to the collection point should be uninterrupted, level with no gravel or similar covering, and have a width to enable the easy passage of wheeled bins. For two-wheeled bins this should be 1 metre for four-wheeled bins this should be 1.5 metres wide (including doorways), with a maximum gradient of 1:12.

We do not advise the use of bin compactors, as they often cause excessive damage to bins or cause waste to get stuck inside bins. If bin compactors are used on site you should advise your waste collection contractor. Large scale waste compactors may be appropriate for industrial units.

For flats and commercial properties:-

Doors to bin stores should be sufficient in widths to allow the movement of bins at their widest and prevent entrapment of limbs. This is likely to be a minimum of 20cm in addition to the widest bin contained in the bin store.

Walls and doors should have protection strips to prevent damage and a mechanism for holding doors open should be available. Doors should ideally be keypad entry or standard fire brigade keys. We do not support the use of electronic key fobs.

Bins in communal bin stores should be manoeuvrable to the refuse collection vehicle without the need to move other bins.

4. A 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). This includes requirements such as ensuring the Charging Equipment integral protective device shall be at least Type A RCD (required to comply with BS EN 61851 Mode 3 charging).

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.
o A list of authorised installers (for the Government's Electric Vehicle Homecharge Scheme) can be found at https://www.gov.uk/government/organisations/office-for-low-emission-vehicles
o Part S

5. Drainage

We ask that all surface and foul water drainage from the development area be directed away from Network Rail's retained land and structures into suitable drainage systems, the details of which are to be approved by Network Rail before construction starts on site.

Water must not be caused to pond on or near railway land either during or after any construction-related activity.

The construction of soakaways for storm or surface water drainage should not take place within 20m of the Network Rail boundary. Any new drains are to be constructed and maintained so as not to have any adverse effect upon the stability of any Network Rail equipment, structure, cutting or embankment.

The construction of soakaways within any lease area is not permitted.

The construction of surface water retention ponds/tanks, SuDS or flow control systems should not take place within 20m of the Network Rail boundary where these systems are proposed to be below existing track level. Full overland flow conditions should be submitted to Network Rail for approval prior to any works on site commencing.

The construction of surface water retention ponds/tanks, SuDS or flow control systems should not take place within 30m of the Network Rail boundary where these systems are proposed to be above existing track level. Full overland flow conditions should be submitted to Network Rail for approval prior to any works on site commencing.

If a Network Rail-owned underline structure (such as a culvert, pipe or drain) is intended to act as a means of conveying surface water within or away from the development, then all parties must work together to ensure that the structure is fit for purpose and able to take the proposed flows without risk to the safety of the railway or the surrounding land.

Wayleaves and or easements for underline drainage assets
The position of any underline drainage asset shall not be within 5m of drainage assets, sensitive operational equipment such as switches and crossings, track joints, welds, overhead line stanchions and line side equipment, and not within 15m of bridges, culverts, retaining walls and other structures supporting railway live loading.

Protection of existing railway drainage assets within a clearance area
There are likely to be existing railway drainage assets in the vicinity of the proposed works. Please proceed with caution.
No connection of drainage shall be made to these assets without Network Rail's prior consent to detailed proposals. Any works within 5m of the assets will require prior consent.
There must be no interfering with existing drainage assets/systems without Network Rail's written permission.
The developer is asked to ascertain with Network Rail the existence of any existing railway drainage assets or systems in the vicinity of the development area before work starts on site. Please contact Matthew Shelton (matthew.shelton@networkrail.co.uk) for further information and assistance.

Fail Safe Use of Crane and Plant
All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a "fail safe" manner such that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0m of the nearest rail of the adjacent railway line, or where the railway is electrified, within 3.0m of overhead electrical equipment or supports.

Excavations/Earthworks
All excavations/ earthworks carried out in the vicinity of Network Rail property/ structures must be designed and executed such that no interference with the integrity of that property/ structure can occur. If temporary works compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details. Where development may affect the railway, consultation with the Asset Protection Project Manager should be undertaken. Network Rail will not accept any liability for any settlement, disturbance or damage caused to any development by failure of the railway infrastructure nor for any noise or vibration arising from the normal use and/or maintenance of the operational railway. No right of support is given or can be claimed from Network Rails infrastructure or railway land.

Security of Mutual Boundary
Security of the railway boundary will need to be maintained at all times. If the works require temporary or permanent alterations to the mutual boundary the applicant must contact Network Rail's Asset Protection Project Manager.

Fencing
Because of the nature of the proposed developments we consider that there will be an increased risk of trespass onto the railway. The Developer must provide a suitable trespass proof fence adjacent to Network Rail's boundary (minimum approx. 1.8m high) and make provision for its future maintenance and renewal. Network Rail's existing fencing / wall must not be removed or damaged.

Method Statements/Fail Safe/Possessions

Method statements may require to be submitted to Network Rail's Asset Protection Project Manager at the below address for approval prior to works commencing on site. This should include an outline of the proposed method of construction, risk assessment in relation to the railway and construction traffic management plan. Where appropriate an asset protection agreement will have to be entered into. Where any works cannot be carried out in a "fail-safe" manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. "possession" which must be booked via Network Rail's Asset Protection Project Manager and are subject to a minimum prior notice period for booking of 20 weeks. Generally if excavations/piling/buildings are to be located within 10m of the railway boundary a method statement should be submitted for NR approval.

OPE
Once planning permission has been granted and at least six weeks prior to works commencing on site the Asset Protection Project Manager (OPE) MUST be contacted, contact details as below. The OPE will require to see any method statements/drawings relating to any excavation, drainage, demolition, lighting and building work or any works to be carried out on site that may affect the safety, operation, integrity and access to the railway.

Vibro-impact Machinery
Where vibro-compaction machinery is to be used in development, details of the use of such machinery and a method statement should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker prior to the commencement of works and the works shall only be carried out in accordance with the approved method statement

ENCROACHMENT
The developer/applicant must ensure that their proposal, both during construction, and after completion of works on site, does not affect the safety, operation or integrity of the operational railway, Network Rail and its infrastructure or undermine or damage or adversely affect any railway land and structures. There must be no physical encroachment of the proposal onto Network Rail land, no over-sailing into Network Rail air-space and no encroachment of foundations onto Network Rail land and soil. There must be no physical encroachment of any foundations onto Network Rail land. Any future maintenance must be conducted solely within the applicant's land ownership. Should the applicant require access to Network Rail land then must seek approval from the Network Rail Asset Protection Team. Any unauthorised access to Network Rail land or air-space is an act of trespass and we would remind the council that this is a criminal offence (s55 British Transport Commission Act 1949). Should the applicant be granted access to Network Rail land then they will be liable for all costs incurred in facilitating the proposal.

Noise/Soundproofing
The Developer should be aware that any development for residential use adjacent to an operational railway may result in neighbour issues arising. Consequently every endeavour should be made by the developer to provide adequate soundproofing for each dwelling. Please note that in a worst case scenario there could be trains running 24 hours a day and the soundproofing should take this into account.

Trees/Shrubs/Landscaping

Where trees/shrubs are to be planted adjacent to the railway boundary these shrubs should be positioned at a minimum distance greater than their predicted mature height from the boundary. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary. We would wish to be involved in the approval of any landscaping scheme adjacent to the railway. Where landscaping is proposed as part of an application adjacent to the railway it will be necessary for details of the landscaping to be known and approved to ensure it does not impact upon the railway infrastructure. Any hedge planted adjacent to Network Rail's boundary fencing for screening purposes should be so placed that when fully grown it does not damage the fencing or provide a means of scaling it. No hedge should prevent Network Rail from maintaining its boundary fencing. Lists of trees that are permitted and those that are not permitted are provided below and these should be added to any tree planting conditions:

Acceptable: Birch (Betula), Crab Apple (Malus Sylvestris), Field Maple (Acer Campestre), Bird Cherry (Prunus Padus), Wild Pear (Pyrs Communis), Fir Trees - Pines (Pinus), Hawthorne (Cretaegus), Mountain Ash - Whitebeams (Sorbus), False Acacia (Robinia), Willow Shrubs (Shrubby Salix), Thuja Plicatat "Zebrina"
Not Acceptable: Acer (Acer pseudoplantanus), Aspen - Poplar (Populus), Small-leaved Lime (Tilia Cordata), Sycamore - Norway Maple (Acer), Horse Chestnut (Aesculus Hippocastanum), Sweet Chestnut (Castanea Sativa), Ash (Fraxinus excelsior), Black poplar (Populus nigra var, betulifolia), Lombardy Poplar (Populus nigra var, italica), Large-leaved lime (Tilia platyphyllos), Common line (Tilia x europea)
A comprehensive list of permitted tree species is available upon request.

Lighting
Where new lighting is to be erected adjacent to the operational railway the potential for train drivers to be dazzled must be eliminated. In addition the location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway. Detail of any external lighting should be provided as a condition if not already indicated on the application.

Access to Railway
All roads, paths or ways providing access to any part of the railway undertaker's land shall be kept open at all times during and after the development.

Children's Play Areas/Open Spaces/Amenities
Children's play areas (including in this instance the school playing field), open spaces and amenity areas must be protected by a secure fence along the boundary of one of the following kinds, concrete post and panel, iron railings, steel palisade or such other fence approved by the Local Planning Authority acting in consultation with the railway undertaker to a minimum height of 1.8 metres and the fence should not be able to be climbed.

Network Rail is required to recover all reasonable costs associated with facilitating these works.

6. The provision of allotment should consider the advice and guidance contained in The National Allotment Society publication "21ST CENTURY ALLOTMENTS IN NEW DEVELOPMENTS"

7. HCC as Highway Authority recommends inclusion of the following Advisory Note (AN) to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980.

AN1) 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/development-management/highways-development-management.aspx

AN2) 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/development-management/highways-development-management.aspx

AN3) Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website: https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx

Signed:



Shaun Greaves
Development and Conservation Manager

Development Management
North Hertfordshire District Council
Council Offices
Gernon Road
Letchworth
Herts
SG6 3JF

Date: 29 November 2024

The Council's Privacy Notice is available on our website: https://www.north-herts.gov.uk/home/council-data-and-performance/data-protection/information-management-gdpr

NOTES

1 **Failure to satisfy conditions may invalidate this permission and/or result in enforcement action. Particular attention should be paid to the requirements of any condition in bold.**

2 Applicants will need to pay a compliance fee where they request confirmation in writing of any planning consent, agreement or approval (commonly known as discharge of conditions) required by one or more conditions or limitations attached to a grant of planning permission.

3 The fee is £145 per request or £43 where the permission relates to an extension or alteration to a dwellinghouse or other development in the curtilage of the dwellinghouse.

The request can be informal through the submission of a letter or plans, or formal through the completion of an application form and the submission of plans. Any number of conditions may be included on a single request. The form is available via the Council's website: www.north-herts.gov.uk/home/planning/planning-applications/submit-planning-application

4 If the development hereby permitted is one that will require a new postal address/es then please contact the Council's **street naming and numbering service** on 01462 474431 or email SNN@north-herts.gov.uk who will advise you on how to apply for the new address/es.

Any proposed sales and/or marketing name to be adopted by the developer should be forwarded to the **street naming and numbering service,** prior to any publication of the site details and sales information.

5 If you are aggrieved by the decision of your local planning authority (LPA) to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.

However, if an enforcement notice has been served for the same or very similar development the time limit is 28 days from the date of the LPA decision or 28 days from the date the enforcement notice was served.

Appeals can be made online at: https://www.gov.uk/planning-inspectorate. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

6 **Purchase Notices**

If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

7 The District Council and County Highway Authority wish to ensure that, in the implementation of the development, hereby approved, the highway verge adjacent to the property is not damaged or does not become unsightly due to the stationing of skips, parking of vehicles, storing of building materials etc thereon. Your attention is, therefore, drawn to the provisions of Section 131 of the Highways Act 1980 and to the Hertfordshire County Council Bylaws 1955 (specifically relating to grass margins and verges in Letchworth Garden City) by virtue of which such actions, unless authorised by the prior grant of a licence, constitute a prosecutable offence. Persons responsible for undertaking the development and any associated works are, therefore, strongly encouraged to take appropriate steps to ensure that no breach of the said legislation occurs during the course of such activities. In the event of any damage being caused it will be expected that suitable reinstatement is undertaken upon completion of the development. Failure to do so could also result in legal action being pursued. To obtain information regarding the issue of licences, contact Hertfordshire Highways, Hertfordshire County Council, County Hall, Pegs Lane, Hertford, SG138DQ or telephone 0300 1234 047.

8 **Cadent Gas Informative:**

Cadent Gas own and operate the gas infrastructure within the area of your development. Contact our Plant Protection Team for approval before carrying out any works on site and ensuring requirements are adhered to. Email plantprotection@cadentgas.com Alternatively you can register on www.beforeyoudig.cadentgas.com This service is free of charge.

THIS PLANNING PERMISSION DOES NOT CONSTITUTE APPROVAL UNDER BUILDING REGULATIONS AND IS NOT A LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT. IT DOES NOT CONVEY ANY APPROVAL OR CONSENT WHICH MAY BE REQUIRED UNDER ANY ENACTMENT, BYE-LAW, ORDER OR REGULATION OTHER THAN SECTION 57 OF THE TOWN AND COUNTRY PLANNING ACT 1990.