NORTH HERTFORDSHIRE DISTRICT COUNCIL

Town and Country Planning Act 1990
Town and Country Planning (General Development Procedure) Order 2015

DECISION NOTICE

Correspondence Address:
Mr D Hartley
Canalside House
Brewery Lane
Skipton
BD23 1DR

Applicant:
Sandon Bury Farm Ltd

PARTICULARS OF DEVELOPMENT

Application: 18/00584/FP

Proposal: Diversification of Sandon Bury Farm to provide an events venue and guest accommodation, comprising demolition of existing modern buildings within the Sandon Bury Farm complex, change of use of existing buildings from agricultural uses to an events venue, guest accommodation and alterations to listed and non-listed buildings (Black Barn, grain store and hay barn).

Location: Sandon Bury Farm, Sandon, Hertfordshire, SG9 0QY

Plan Nos: P01F EX01A EX02B EX03 EX04 EX05A EX06 Coach House Elevation Location Plan Coach House elevation 1 Coach House elevation 2 Coach House elevation 3 Coach House elevation 4 Coach House floor plans Coach House/Dovecote section location Coach House/Dovecote sections Hay Barn section location Hay Barn section A Hay Barn section B Hay Barn NE elevation Hay Barn NW elevation Hay Barn SW elevation Hay Barn floor Centre Barn section location Centre Barn section A Centre Barn section B Centre Barn NE elevation Centre Barn NW elevation Centre Barn SE elevation Centre Barn SW elevation Centre Barn floor Topographical Survey - Sheet 1 Topographical Survey - Sheet 2 Topographical Survey - Sheet 3 Topographical Survey - Sheet 4 Topographical Survey - Sheet 5 Topographical Survey - Sheet 6 P03E P10G P11A P13C P14E P15D P16A P30C P31B P40A P41A P50A

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 27 February 2018, subject to the following condition(s):

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

   Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out wholly in accordance with the details specified in the application and supporting approved documents and plans listed above.

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

3. The development hereby permitted is limited to uses falling with use class D2 of the Town & Country Use Class Order (1987 as amended) unless approved in writing by the Local Planning Authority

   Reason: To prevent deemed change of uses that may have different environmental impacts.

4. HIGHWAYS

   Prior to occupation of the new proposal the highway works involving the resurfacing of the existing access shall be complete for the first 12 metres from the edge of the carriageway of Rushden Road, to the current specification of Hertfordshire County Council and to the Local Planning Authority's satisfaction. These works shall be secured and undertaken as part of the s278 works.

   Reason: In the interests of highway and pedestrian safety.

5. No development shall commence until the details of siting, type and design of plugs, the energy sources and the strategy/management plan of supplying and maintaining the electric charging points to be provided in accordance with the minimum 10% of spaces to be provided with electric charging points shall be provided to the Local Planning Authority and Hertfordshire County Council for approval in writing. All electric charging points shall be installed in accordance with the approved details prior to occupation of any of the units and permanently maintained and retained.

Reason: To ensure that the development complies with the sustainable development policy requirements.

6. No development shall commence until a Construction Management Plan 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. The Construction Traffic Management Plan shall include details of:

a. Construction vehicle numbers, type, routing;
b. Traffic management requirements;
c. Construction and storage compounds (including areas designated for car parking);
d. Siting and details of wheel washing facilities;
e. Cleaning of site entrances, site tracks and the adjacent public highway;
f. Timing of construction activities to avoid school pick up/drop off times;
g. Provision of sufficient on-site parking prior to commencement of construction activities;
h. Post construction restoration/reinstatement of the working areas and temporary access to the public highway.

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

7. ENVIRONMENTAL HEALTH

Prior to the first use of the events venue, the noise mitigation measures detailed in the SLR report reference 418.07763.00001.002 version 5 dated February 2018 (Sandon Bury Farm Noise Assessment), including a purpose built acoustic enclosure, shall be fully implemented. Once implemented, the scheme of measures shall be maintained in accordance with the details in perpetuity.

Reason: to protect the amenities of existing residents.

8. Prior to the installation of any fixed plant, a noise survey following the guidelines set out by BS4142:2014 shall be undertaken. This survey shall take into account all proposed fixed plant as part of the development and shall include noise control measures which should be submitted for written approval by the Local Planning Authority (LPA). No fixed plant shall be installed and operated at the site until the noise survey has been approved by the LPA. Noise mitigation measures shall be such as to achieve 5dB below existing background noise levels. The fixed plant as approved shall thereafter be maintained in accordance with the approved noise control measures."

Reason: to protect the amenities of existing residents.

9. Goods vehicle deliveries and refuse vehicles shall only be permitted between 08.00hrs and 20.00hrs Monday to Friday, 08.00hrs and 18.00hrs Saturdays and no deliveries or collections shall take place at all on Sundays and Bank Holidays.

Reason: to protect the amenities of existing residents.

10. Hours of use of the events venue shall only be permitted between 08.00hrs and 23.00hrs Sunday to Thursday and 08.00hrs to 00.00hrs Friday, Saturday and any day preceding a Bank Holiday.

Reason: to protect the amenities of existing residents.

11. A maximum of seventy-five (75) event days shall take place per calendar year with no more than three (3) event days taking place per calendar week.

Reason: to protect the amenities of existing residents.

12. Live and recorded music shall not be permitted to take place in the outside areas of the venue at any time except for music accompanying a ceremony and shall last for no longer than one (1) hour between 10.00hrs and 20.00hrs on any event day.

Reason: to protect the amenities of existing residents.

13. A detailed lighting scheme shall be undertaken and submitted to the Local Planning Authority for approval with details of all external lighting, including lighting required for the pedestrian walkways, parking areas and security lighting and there shall be no external illumination erected, installed or operated on any part of the site other than in accordance with these approved details.

Reason: to protect the amenities of existing residents and the character of the rural area.

14. The following limits shall not be exceeded by the exterior light installations:

Sky Glow ULR (Max%) 2.5

Max light into windows Ev (lux)
07.00- 23.00hrs 5
23.00- 07.00hrs 1

Source Intensity I (kcd)
07.00- 23.00hrs 7.5
23.00- 07.00hs 0.5

Building Luminance 07.00- 23.00hrs
Average, L (cd/m²) 10

Reason: to protect the amenities of existing residents.

15. ENVIRONMENTAL HEALTH (contamination/air quality)

Prior to the commencement of the permitted activity the venue shall incorporate Electric Vehicle (EV) ready charging points sufficient to serve:

- one staff car parking bay within the courtyard

and
- o two car parking bays for guests, within the guest parking area

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.

16. Prior to the commencement of development, full details of the on-site storage facilities for commercial waste, including waste for recycling shall be submitted to and approved in writing by the local planning authority. Such details shall identify the specific positions of where wheeled bins, or any other means of storage will be stationed and the specific arrangements to enable collection from within 10m of the kerbside of the adopted highway/ refuse collection vehicle access point and, the arrangements for the disposal of waste shall be provided and shall include provision for a minimum of 50% recycling/organic capacity. 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 protect the amenities of nearby residents/occupiers and in the interests of visual amenity, source segregation of waste in accordance with pre-treatment regulations.

17. LLFA

The development permitted by this planning permission shall be carried out in accordance with the approved FRA carried out by Flood Risk Assessment and Preliminary Drainage Strategy carried out by CTC Infrastructure reference 2017-C-252 dated April 2017, submitted and the following mitigation measures detailed within the FRA:
1. Providing attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event.
2. Limiting the surface water run-off generated by the 1 in 100 year + climate change critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.

Reason: To reduce the risk of flooding to the proposed development and future occupants.
The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

18. No development shall take place until the final design of the drainage scheme is completed and sent to the LPA for approval. The scheme shall also include;
1. 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 climate change event.
2. Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.

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

19. LANDSCAPE

The landscape details to be submitted and approved in writing prior to commencement and shall include the following:
a) which, if any, of the existing vegetation is to be removed
b) what new trees, shrubs, hedges and grassed areas are to be planted, together with the species proposed and the size and density of planting
c) the location and type of any required acoustic fences or other means of enclosure and any hardscaping proposed

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

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

21. The landscaping scheme approved in accordance with condition 20 will be carried out and completed in full prior to the first occupation and use of the site for an event.

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

22. No demolition/development shall take place/commence until an Archaeological Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of archaeological significance and research questions; and:
1. The programme and methodology of site investigation and recording
2. The programme and methodology of site investigation and recording as suggested by the evaluation
3. The programme for post investigation assessment
4. Provision to be made for analysis of the site investigation and recording
5. Provision to be made for publication and dissemination of the analysis and records of the site investigation
6. Provision to be made for archive deposition of the analysis and records of the site investigation
7. Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.

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

23. The demolition/development shall take place/commence in accordance with the programme of archaeological works set out in the Written Scheme of Investigation approved under condition (22)

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

24. The development shall not be occupied/used until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (22) and the provision made for analysis and publication where appropriate.

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

25. No development shall take place until details of fire hydrants or other measures to protect the development from fire have been submitted to and approved in writing by the Local Planning Authority. Such details shall include provision of the mains water services for the development whether by means of existing water services, new mains or extension to or diversion of existing services where the provision of fire hydrants is considered necessary. The proposed development shall not be occupied until such measures have been implemented in accordance with the approved details.

Reason: To ensure that the necessary infrastructure for the development is in place and to meet the requirements of the fire authority.

26. No development shall commence until the local planning authority has been provided with a copy of the licence issued by [the relevant licensing body] pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2010 authorising the specified activity/development to go ahead. All mitigation and compensation measures will be fully installed prior to occupation and retained as such thereafter.

Reason: To ensure compliance with the Conservation of Habitats and Species Regulations 2017 and to ensure biodiversity is conserved and enhanced in accordance with NPPF.

27. (a) A suitable environmental noise control device of the 'cut-off limiter' type shall be installed in the Black Barn, calibrated and set to the satisfaction of the Local Planning Authority (LPA). The device must be set at an appropriate time in the presence of an officer of the LPA. No amplified live or recorded music shall take place in the Black Barn until this device has been installed and set in accordance with this condition.
(b) Once the environmental noise control device has been installed, calibrated and set to the satisfaction of the LPA it must not be removed, adjusted or replaced:
(i) without twenty-eight (28) days prior notification to the LPA and;
(ii) without the written consent that the removal, adjustment or replacement of the device is permitted and that documentation stating this is received from the LPA.
(c) Following receipt of the documentation stated in (b)(ii), all the requirements of the LPA must be carried out. Use of all noise equipment for amplified live or recorded music taking place in the Black Barn is not permitted until such a time that confirmation from the LPA that it is permitted has been received.

(d) In the event of a malfunction of the environmental noise control device, the LPA shall be notified within two (2) working days of the problem and the remedial action proposed. No amplified live or recorded music shall take place in the Black Barn until the environmental noise control device is properly functioning and, if appropriate, has been reset, calibrated and set to the satisfaction of the LPA and/or the LPA has received and approved the necessary documentation confirming this.
(e) The environmental noise control device shall be secured in a manner approved by the LPA so as to prevent unauthorised access to and tampering with the controls.
(f) All noise equipment used for amplified live and recorded music in the Black Barn must be routed through the environmental noise control device and this device must be operational during such activities.
(g) If requested by the LPA, the environmental noise control device shall be recalibrated and reset to their satisfaction and in the presence of an officer of the LPA.

Reason: to protect the amenities of existing residents.

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 (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Informative/s:

1. HIGHWAY INFORMATIVES
Hertfordshire County Council (HCC) recommends inclusion of the following highway informative to ensure that any works within the public highway are carried out in accordance with the provisions of the Highway Act 1980:

Works to be undertaken on the adjoining highway shall be constructed to the satisfaction of the Highway Authority and in accordance with Hertfordshire County Council publication Roads in Hertfordshire Highway Design Guide. Before proceeding with the proposed development, the applicant shall use the HCC website https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development or call on 0300 1234 047 to obtain the requirements for an appropriate highway agreement for the associated access works as part of the development. This should be carried out prior to any development work is carried out. Reason: To ensure that work undertaken on the highway is constructed to the current Highway Authority's specification, to an appropriate standard and by a contractor who is authorised to work in the Public Highway. 2. Prior to commencement of the development the applicant is advised to contact the North Herts Highways Network Team [NM.North@hertfordshire.gov.uk] to arrange a site visit to agree a condition survey

of the approach of the highway leading to construction access likely to be used for delivery vehicles to the development. Under the provisions of Section 59 of the Highways Act 1980 the developer may be liable for any damage caused to the public highway as a result of traffic associated with the development considering the structural stability of the carriageway. The County Council may require an Officer presence during movements of larger loads, or videoing of the movements may be considered.

2. LLFA INFORMATIVES

For further information relating to ordinary watercourse consents, please visit our Ordinary Watercourse Webpage on the link below; www.hertfordshire.gov.uk

https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/water/flooding-in-hertfordshire/managing-the-threat-and-impact-of-floods/ordinary-watercourses/ordinary-watercourses.aspx

3. ENVIRONMENTAL HEALTH INFORMATIVES

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

During the demolition and change of use phases no activities should take place outside the following hours: Monday to Friday 08:00-18:00hrs; Saturdays 08:00-13:00hrs and Sundays and Bank Holidays: no work at any time.

Prior to the commencement of demolition of the existing buildings, a survey should be undertaken in order to identify the presence of asbestos containing materials. Any asbestos containing materials should be handled and disposed of appropriately. Where necessary this should include the use of licensed contractors and waste disposal sites licensed to receive asbestos.

EV Charging Point Specification:

Each charging point shall be installed by an appropriately certified electrician/electrical contractor in accordance with the following specification. The necessary certification of electrical installation should be submitted as evidence of appropriate installation to meet the requirements of Part P of the most current Building Regulations.
Cable and circuitry ratings should be of adequate size to ensure a minimum continuous current demand for the vehicle of 16A and a maximum demand of 32A (which is recommended for Eco developments)
o A separate dedicated circuit protected by an RBCO should be provided from the main distribution board, to a suitably enclosed termination point within a garage or an accessible enclosed termination point for future connection to an external charge point.
o The electrical circuit shall comply with the Electrical requirements of BS7671: 2008 as well as conform to the IET code of practice on Electric Vehicle Charging Equipment installation 2012 ISBN 978-1-84919-515-7 (PDF).
o If installed in a garage all conductive surfaces should be protected by supplementary protective equipotential bonding. For vehicle connecting points installed such that the vehicle can only be charged within the building, e.g. in a

garage with a (non-extended) tethered lead, the PME earth may be used. For external installations the risk assessment outlined in the IET code of practice must be adopted, and may require additional earth stake or mat for the EV charging circuit. This should be installed as part of the EV ready installation to avoid significant on cost later.

The above condition is considered relevant and reasonable for the following reasons:

- Paragraph 120 of the NPPF which refers to the effects (including cumulative effects) of pollution on health, the natural environment or general amenity.
- The aim of Section 4 'promoting sustainable development' of the NPPF, which includes in paragraph 35 'developments should be designed where practical to incorporate facilities for charging plug-in and other ultra low emission vehicles'.
- HCC Local Transport Plan (LTP3) 2011-2031 which includes an aim 'to reduce transport's own contribution to greenhouse gas emissions and improve its resilience'.
- It is consistent with the approach specified in the NHDC Air Quality Planning Guidance Document, which is referenced within the current consultation version of the Local Plan.
- Reflects the limited options available for travel to the site by foot, cycle and public transport, by providing a more sustainable means of traveling to the site by private car.

4. ECOLOGY INFORMATIVE

The demolition or renovation of buildings, and the removal or severe pruning of trees should be avoided during the bird breeding season (March to August inclusive [Natural England]) to protect breeding birds, their nests, eggs and young. If this is not practicable, a search of the area should be made no more than 3 days in advance of works by a competent Ecologist and if active nests are found, the location should be cordoned off (minimum 4m buffer) until the end of the nesting season or until the birds have left the nest.

Any existing trees (including the roots and overhanging branches) that are remaining on or adjacent to the site should be protected from damage. Protection barriers and/or a no-dig policy may be required.

Any external lighting scheme should be designed to minimise light spill, in particular directing light away from the boundary vegetation to ensure dark corridors remain for use by wildlife as well as directing lighting away from potential roost / nesting sites.

New trees and shrubs should be predominantly native species, particularly those that bear blossom, fruit (berries) and nectar to support local wildlife; and night flowering plants to attract insects and increase foraging opportunities for bats. Where non-native species are used they should be beneficial to biodiversity, providing a food source or habitat for wildlife.

5. Applicants attention is drawn to the Management Plan submitted as part of the planning application. The scheme shall be operated in accordance with the

Management Plan. Any failure to operate accordingly may lead to enforcement action by the Local Planning Authority.

Signed:



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

Development & Conservation Manager
Date: 16 November 2018

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 Circular 04/2008 (Planning Related Fees) states that where an application is made under Article 21 of the Town and Country Planning (General Development Procedure) Order 1995, a fee will be payable for any consent, agreement or approval required by condition or limitation attached to the grant of planning permission.

3 The fee is £116 per request or £34 where the permission relates to an extension or alteration to a dwellinghouse or other development in the curtilage of the dwellinghouse. No fee is required for applications resulting from a condition removing "permitted development rights".

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 on 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 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.

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.

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.