NORTH HERTFORDSHIRE DISTRICT COUNCIL

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

DECISION NOTICE

Correspondence Address:
Ms C Butterworth
1 Kinsbourne Court
Luton Road
Harpenden
AL5 3BL
England

Applicant:
Mr & Mrs Turner

PARTICULARS OF DEVELOPMENT

Application:	18/00516/FP
Proposal:	Erection of two 4-bed dwellings with associated landscaping and garaging to plot 3 (as amended by drawings 22435D/01H, 02D _ 03C and amplified by drawings 22435/05A and 06A received 25/04/2018).
Location:	Land South Of 40, Royal Oak Lane, Pirton, Hertfordshire, SG5 3QT
Plan Nos:	22435D/01H 22435D/02D 22435D/03C 22435D/04 22435D/05A 22435D/06A

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 21 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 shall not begin until full details of all proposed construction vehicle access, movements, parking arrangements and wheel washing facilities have been submitted to and approved in writing by the Local Planning Authority. The relevant details should be submitted in the form of a Construction Management Plan and the approved details are to be implemented throughout the construction programme.

   Reason: To minimise danger, obstruction and inconvenience to users of the highway.

4. Prior to the first occupation of the development hereby permitted the following details are to be submitted and approved in writing by the Local Planning Authority:

   a) which, if any, of the existing vegetation is to be removed and which is to be retained;
   b) what new trees, shrubs, hedges and grassed areas are to be planted, together with the species proposed and the size and density of planting;
   c) the location and type of any new walls, fences or other means of enclosure and any hardscaping proposed;
   d) details of any earthworks proposed.

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

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

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

6. The materials approved for use on the development are those contained within the Material Schedule for Planning Approval dated 15/02/2018 unless otherwise approved in writing by the Local Planning Authority. The approved materials will be implemented as approved.

Reason: To ensure that the completed development has an acceptable visual appearance.

7. The window at first floor level on the west-facing flank elevation of the development hereby permitted shall be permanently glazed with obscure glass and will be permanently fixed shut unless the parts of the window that can be opened are 1.7m above the floor level of the room within which the window is installed.

   Reason: To safeguard the privacy of the occupiers of adjacent dwellings.

8. Prior to the first occupation of the dwellings hereby permitted, the car parking facilities shown on approved plan 22435D/06A shall be marked out and made available, and shall thereafter be kept available solely for the parking of motor vehicles.

   Reason: To ensure the provision of satisfactory car parking facilities clear of the public highway to meet the needs of the development.

9. Prior to the first occupation of the dwellings hereby permitted, the turning head shown on approved plan 22435D/06A shall be provided and made available, and shall thereafter be kept available solely to enable vehicles to manoeuvre safely and leave the site in forward gear.

   Reason: To ensure that the proposal would not cause any harm to the safe operation of the adjacent highway.

10. Hours of construction shall be restricted between the hours of 0800-1800 Monday to Friday, 0800-1300 on Saturdays, and no working on Sundays and Bank Holidays.

    Reason: To protect the living conditions of the neighbouring properties during the course of the building of the development.

11. Prior to the first occupation of Plot 3 hereby permitted, an Electric Vehicle (EV) ready domestic charging point shall be installed as indicated on drawing 22435D/01H and permanently made available.

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

Proactive Statement:

Planning permission has been granted for this proposal. The Council acted proactively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted proactively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Informative/s:

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

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

o A separate dedicated circuit protected by an RBCO should be provided from the main distribution board, to a suitably enclosed termination point within a garage or an accessible enclosed termination point for future connection to an external charge point.
o The electrical circuit shall comply with the Electrical requirements of BS7671: 2008 as well as conform to the IET code of practice on Electric Vehicle Charging Equipment installation 2012 ISBN 978-1-84919-515-7 (PDF).

o If installed in a garage all conductive surfaces should be protected by supplementary protective equipotential bonding. For vehicle connecting points installed such that the vehicle can only be charged within the building, e.g. in a garage with a (non-extended) tethered lead, the PME earth may be used. For external installations the risk assessment outlined in the IET code of practice must be adopted, and may require additional earth stake or mat for the EV charging circuit. This should be installed as part of the EV ready installation to avoid significant on cost later.

2) Land contamination
The applicant is advised that whilst the council has no positive evidence to suggest that the site is contaminated, it is the developer that is responsible for ensuring that the development is safe and suitable for use for the purpose for which it is intended. Therefore, if any contamination is suspected during the development of the site this should be notified to the Local Planning Authority as soon as practicable.

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

Signed:



Development Management
North Hertfordshire District Council
Council Offices
Gernon Road

Letchworth
Herts
SG6 3JF

Development & Conservation Manager
Date: 11 May 2018

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.

Consent for these works may be required from the Letchworth Garden City Heritage Foundation (www.letchworth.com/heritage-foundation) under the Scheme of Management or leasehold covenants. If you do not already have their approval, you are advised to contact the Heritage Foundation on home@letchworth.com or 01462 476017 to confirm whether you also need to submit an application to them.