

Part I

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(Hatfield Central)

WELWYN HATFIELD BOROUGH COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE – 6 FEBRUARY 2020
REPORT OF THE CORPORATE DIRECTOR (PUBLIC PROTECTION, PLANNING
AND GOVERNANCE)

6/2019/2478/MAJ

22 THE COMMON, HATFIELD, AL10 0ND

ERECTION OF 4 STOREY CAR PARK COMPRISING 420 PARKING SPACES,
MOTORCYCLE AND CYCLE PARKING, STORAGE AND ANCILLARY SPACE AND
ASSOCIATED LANDSCAPING AND PUBLIC REALM WORKS TO ROBIN HOOD
LANE

APPLICANT: BOURNE GROUP LIMITED

1 Site Description

- 1.1 The application site is located to the south of The Common and is currently used as a surface car park, containing 148 car parking spaces. The site is bound to the north by The Common, and to the east, south and west by Robin Hood Lane which provides access to the rear of properties within the town centre.

2 The Proposal

- 2.1 The application seeks permission for the erection of a four storey, 420 space multi storey car park (MSCP). Of the 420 spaces, 51 are proposed to be reduced size spaces, 18 disabled spaces and 10 parent and child spaces. Space is also proposed within the application site for the parking of 12 motorcycles. Access to the MSCP would be from Robin Hood Lane, via The Common. Public realm improvements are also proposed to Robin Hood Lane.

3 Reason for Committee Consideration

- 3.1 This application is presented to the Development Management Committee because the application is a major development and the Borough Council has an interest in the land which is the subject of the application.

4 Relevant Planning History

- 4.1 Application Number: S6/2004/0001
Decision: Granted subject to S106 agreement and conditions
Decision Date: 15 March 2007
Proposal: Redevelopment of eastern end of Hatfield Town centre, comprising demolition of existing buildings and provision of new mixed use development including new retail (A1, A2, A3, A4, A5), non-residential institution uses (D1), 275 residential units, new 'market hall', public realm and bus interchange, together with associated provision for access, servicing, parking (including multi-

storey car park) and landscaping. Partial retention of White Lion House and retention, alteration and change of use of Kennelwood House. Temporary uses of site including; contractors compound, public car park, site accesses and associated security fencing.

5 Relevant Planning Policy

- 5.1 National Planning Policy Framework (NPPF)
- 5.2 Welwyn Hatfield District Plan 2005 (District Plan)
- 5.3 Draft Local Plan Proposed Submission 2016 (Emerging Local Plan)
- 5.4 Supplementary Design Guidance 2005 (SDG)
- 5.5 Supplementary Planning Guidance, Parking Standards 2004 (SPG)
- 5.6 Interim Policy for Car Parking Standards and Garage Sizes 2014 (Interim Car Parking Policy)

6 Site Designation

- 6.1 The site lies within the settlement boundary of Hatfield, Hatfield Town Centre and primary real core as designated in the Welwyn Hatfield District Plan 2005.

7 Representations Received

- 7.1 The application was advertised by means of a press notice, neighbour notification letters and site notices. In total 3 representations have been received, comprising 2 objections together with 1 in support of the proposal. All representations received are published in full on the Council's website and are summarised below:

Objections

- Only 8 electric car spaces is very short sighted;
- There should be greater incentives to move people to electric cars, in both the provision of spaces and in the way the parking charges are structured;
- The car park should include secure bicycle parking mechanisms as bicycle theft is becoming a big issue;
- The proposed cycle parking provision is completely isolated from the rest of the local cycle network and fails to provide a safe cycle route to and from the car park and to the cycle parking inside the car park

Support

- Hatfield Renewal Partnership support the application and would encourage the swift delivery of the proposal in order to continue to move forward the comprehensive regeneration of the town centre.

8 Consultations Received

- 8.1 The following have responded advising that they have no objections to the proposal in principal, subject to conditions or obligations being applied:

- Lead Local Flood Authority
- HCC Historic Environment Advisor
- HCC Transport Programmes and Strategy
- HCC Spatial Planning
- WHBC Public Health and Protection
- WHBC Landscape and Ecology
- WHBC Parking
- Herts Constabulary
- Thames Water
- Historic England
- Place Services
- Affinity Water
- Environment Agency

8.2 No response was received from the following consultees:

- Cadent Gas Limited
- HCC Rights of Way
- Ramblers Association

9 Analysis

9.1 The main planning issues to be considered in the determination of this application are:

- 1. Principle of development**
- 2. Quality of design and impact on the character of the area**
- 3. Residential amenity**
- 4. Highways considerations**
- 5. Other considerations**
 - i) Flood risk and sustainable drainage**
 - ii) Contaminated land**
 - iii) Air quality**
 - iv) Archaeology**
 - v) Disabled access and parking provision**
 - vi) Electric car charging points**
 - vii) Energy efficiency**
 - viii) Other matters**
- 6. Environmental Impact Assessment**
- 7. The planning balance**

1. Principle of the development

9.2 The site lies within the settlement of Hatfield, where in accordance with policy GBSP2 of the adopted Local Plan there is no objection in principle to development. The site also lies within the defined town centre boundary and primary retail core.

9.3 In the emerging Local Plan the site lies within the Town Centre Boundary (policy SADM4) and the Core Retail Zone (policy SADM4). Policy SADM4 states that the Council will support proposals for new development or changes of use, subject to them not having a detrimental impact on the vitality and viability of that centre.

- 9.4 The site is currently used as a surface car park (providing short and long stay spaces) which is operated by the Borough Council. The submitted Planning Statement states that the existing car park provides a total of 148 spaces, and it is proposed to erect a multi storey car park (MSCP) on the site increasing the number of parking spaces provided to 420.
- 9.5 The proposal would allow the consolidation of town centre parking in a central location, allowing for the closure of the existing surface car parks at Link Drive (which currently provides 114 spaces) and Lemsford Road (which currently provides 149 spaces) and the reconfiguration and reallocation of the car park at Kennelwood Lane (which currently provides 74 spaces). The Hatfield New Town Renewal Framework (July 2016) outlined that part of the strategy for Hatfield Town Centre was to achieve a more efficient use of land by reducing surface car parking which could be replaced by a multi-storey facility. The proposal would therefore be in accordance with this Framework, and also policy SP20 of the emerging Local Plan which includes the objective of ensuring an appropriate supply of attractive, convenient and safe car parking that is managed for the needs of shoppers, visitors and businesses alike and considering options for either multi-storey or decked parking.
- 9.6 The provision of a MSCP is therefore supported in principle, however national and local planning policies now seek to achieve travel demand reduction and modal shift to more sustainable modes of travel. Section 9 of the National Planning Policy Framework (NPPF) states that applications for development should give priority to pedestrian and cycle movements and facilitate access to high quality public transport. Policy 1 of the Herts County Council Local Transport Plan 2018 requires that in the design of any scheme opportunities to reduce travel demands and the need to travel should be considered first, with other motor vehicle users needs i.e. the private car, being the last consideration. Policy M1 of the adopted Local Plan states that in considering development proposals, the Council will give priority to walking and more sustainable modes of travel, and promoting sustainable modes of travel is also a priority in policy SP4 of the emerging Local Plan.
- 9.7 The Council's Parking Standards SPG (January 2004) states that the level of car parking provision in town centre development proposals must be consistent with national and regional transport policy, which seeks to encourage the use of non-car modes of transport, and that car parking provision at new developments in town centres should be set at a level that does not compromise the economic viability of the town centre, but reflects the emphasis to reduce car parking provision at new development as part of a sustainable transport strategy. Hatfield Town Centre, due to its accessibility by non-car modes of transport and availability of shops and services, is also classed as zone 1 where a range of between 0-25% of maximum demand based standards for parking may be acceptable.
- 9.8 The proposal would result in a net increase in 272 spaces when compared to the provision within the existing car park. However, as stated above the proposed car park would also replace existing car parking provision at Link Drive and Lemsford Road, which currently provide a total of 263 car parking spaces, and would allow for the reconfiguration and reallocation of the Kennelwood Lane car park which currently provides 74 spaces. The proposed MSCP would therefore not only replace the existing parking spaces at The Common, but would also replace the existing spaces which are proposed to be lost at other town centre car parks to

allow for those sites to be redeveloped. The proposal would not therefore result in any overall increase in parking provision within the town centre.

- 9.9 Furthermore the submitted Transport Assessment identifies that demand for space at The Common car park can at certain times exceed the supply of available spaces. To establish a threshold for what can be considered the theoretical capacity of a car park, the document Guidelines on the Preparation of Parking Strategies and Management 2006 published by the Institute of Highways and Transportation states that peak demand should not exceed 85% of supply at parking locations. A car park with an observed occupancy rate of 85% (or above) is considered to have reached its occupational capacity, and users of the car park are likely to experience difficulty in locating a vacant space and are likely to leave and look for a space elsewhere.
- 9.10 The surveys (albeit that they were undertaken when only 136 car parking spaces were available within the car park) undertaken of the occupancy of The Common car park demonstrated that on those days surveyed (28 February – 2 March 2019), occupancy exceeded the theoretical capacity of 85% between 09:15 and 14:25 on weekdays and 11:45 and 14:45 at weekends. County Highways have commented that the occupancy surveys indicate that present availability of parking capacity is particularly problematic and causes the periodic circulation of vehicles with drivers looking for spaces to park. They therefore consider that the level of uplift proposed by this application may be justified particularly at the peak travelling periods at the weekend.
- 9.11 An Addendum Transport Assessment has also been submitted which provides information on the occupancy of the Link Drive, Kennelwood Lane, Lemsford Road and Dog Kennel Lane car parks. This Assessment states that surveys of the occupancy of the existing car parks within the town centre (for Link Drive undertaken on 17-23 September 2019, for Kennelwood Lane and Lemsford Road undertaken on 30 September – 6 October 2019 and for Dog Kennel Lane undertaken on 14-20 October 2019) demonstrates that there is a maximum parking demand of 328 spaces across the car parks (304 spaces of this demand is for the car parks at The Common, Link Drive and Lemsford Road which are proposed to be closed).
- 9.12 The proposed MSCP (which will replace the existing car parks at The Common, Link Drive and Lemsford Road) would have a maximum occupational capacity of 357 spaces (based on the theoretical capacity of 85%), which would exceed the identified demand for spaces in all of the town centre car parks surveyed by 29 spaces (and by 53 spaces if only the demand for the car parks to be replaced is included i.e. The Common, Link Drive and Lemsford Road). The Assessment also states however, that the surveys were undertaken prior to the implementation of the town centre on-street parking restrictions which are considered to result in additional demand for spaces within the MSCP, and the number of spaces within the MSCP will also allow for a certain amount of background growth levels of car ownership.
- 9.13 Furthermore, feedback given to the applicant in public engagement undertaken prior to the submission of the application indicated that local residents expressed a desire for no change in the number of parking spaces within the town centre. Furthermore, retail operators indicated that the free parking currently available is vital for both Hatfield and the town centre, and that parking for staff was felt to be critical.

- 9.14 It is also material to the consideration of this current proposal that planning permission was granted in 2007 for the redevelopment of the eastern end of the town centre which included a 569 space MSCP which was to be sited, in part, in the same location as the MSCP now proposed (ref. S6/2004/0001/FP). Whilst this permission was not implemented (due to changes in market conditions) and was part of a wider re-development proposal that resulted in a significant increase in retail floorspace within the town centre (13,901 sqm) and 275 residential units, it is material that planning permission has previously been granted for a MSCP on the site of the current proposal.
- 9.15 It is acknowledged that both national and local planning policy seeks to give priority to more sustainable modes of transport and that Hatfield town centre is accessible by non-car modes of transport. However, in this case there is clear support in the Hatfield New Town Renewal Framework for the replacement of existing surface car parking by a multi-storey facility and within Policy SP20 of the emerging Local Plan which seeks an appropriate supply of attractive, convenient and safe car parking for the needs of shoppers, visitors and businesses. The proposal will replace existing car parking provision within the town centre and will address the capacity issues in the existing The Common car park. Taking all these matters into consideration therefore, there is no objection in principle to the proposed MSCP.

2. Quality of design and impact on the character of the area

- 9.16 District Plan Policies D1 and D2 aim to ensure a high quality of design and to ensure that development respects and relates to the character and context of the locality, maintaining and where possible enhancing the character of the existing area. These policies are expanded upon in the Council's Supplementary Design Guidance (SDG) which requires the impact of a development to be assessed giving regard to the bulk, scale and design of the proposal and how it harmonises with the existing building and area. These objectives are broadly consistent with the Council's Emerging Local Plan and the aims of the NPPF which considers that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve.
- 9.17 The siting of the proposed MSCP is somewhat constrained by the size of the site and the relationship to the adjoining highway and surroundings buildings, and having regard to these factors there is no objection in principle to the proposed siting of the building. Whilst due to the scale of the building it would be beneficial if the building could be setback further from the boundary with The Commons, it is acknowledged that any such set back would impact on the size of the car park building and the number of car parking spaces that could be provided. It is proposed however to retain the existing trees that run along the boundary of the site with The Common. These trees will provide some screening of the building.
- 9.18 The proposed building, by reason of its size and scale and the open nature of the existing use of the site, will have an impact on the streetscene. Whilst it is acknowledged that the proposed MSCP building will be lower in height than many of the existing buildings to the south within the town centre, it will be of a greater height than the buildings to the north on The Common which are predominantly two to three storeys in height. The scale of the proposed MSCP will therefore be compatible with the size and scale of buildings to the south, but would be out of keeping with the existing scale of development on The Common.

The proposal will therefore result in some harm to the character and appearance of The Common streetscene.

- 9.19 It is acknowledged however that the provision of a MSCP due to the nature of the use, the number of parking spaces required and associated circulation space is such that the resultant building is likely to be of a significant size, scale and bulk. In this case, the applicant has sought to mitigate the impact of the size, scale and bulk of the building through the retention of the existing trees along the boundary with The Common, the siting of the ramps within the car park along the northern boundary of the site which results in a change to the form of the building along this elevation reducing the perceived bulk of the building somewhat and through the use of a steel frame structure (rather than a solid structure) with a perforated screening system which it is suggested will depict the aeronautical history of Hatfield. It is considered that the proposed elevational treatment will provide some interest to the external appearance of the building, and due to its vertical emphasis will break up the scale of the building.
- 9.20 Notwithstanding the above however, the proposed building will be a prominent addition to the streetscene and will result in some harm to the character and appearance of the area, and it will be necessary to consider whether the harm identified is outweighed by any other considerations.
- 9.21 There are no designated heritage assets on or immediately adjacent to the site. However the site (and much of Hatfield) is within the wider landscape setting of Hatfield House (Grade I listed), The Old Palace (Grade I listed), St. Etheldreda's Church (Grade I listed) and Hatfield Park registered park and garden (Grade I listed). Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 9.22 The specific historic environment policies within the NPPF are contained within paragraph 184-202. Paragraph 192 of the NPPF states:
- In determining planning applications, local planning authorities should take account of:*
- a) The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
 - b) The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
 - c) The desirability of new development making a positive contribution to local character and distinctiveness.*
- 9.23 The application was accompanied by a Heritage, Townscape and Visual Assessment which concludes that the significance of listed buildings would not be harmed by the proposal due to the very limited visibility at a considerable distance. Place Services have commented that the information contained within the submitted Assessment indicates that the height and massing of the proposed car park would not be disproportionate to the surrounding townscape, and whilst the proposed MSCP would be visible in longer views from Hatfield House, these views would be filtered by existing intervening trees and buildings. The proposed car park would not therefore become a prominent or detracting feature within

long views from Hatfield House, Old Palace, St Etheldreda's or Hatfield Park, and would not be intrusive in views or compromise the settings of the heritage assets. They therefore raise no objections to the proposed development. Furthermore, Historic England have commented that they also have no objection to the application on heritage grounds. The proposal would not therefore harm the significance of these heritage assets.

- 9.24 District Plan Policy R17 seeks to protect existing trees whilst Policy D8 requires landscaping to form an integral part of the overall design, and in this respect the high quality design required by Policy D1 would again be relevant. Landscaping is important in order to protect and enhance the existing character of the area and to reduce the visual and environmental impacts of the development. Due to the nature of the existing site, existing landscaping within the site is limited. There are however 14 lime trees along the northern boundary of the site with The Common. These trees are important to the character and appearance of the streetscene, and are therefore proposed to be retained as part of the development. The footprint of the MSCP would however fall within the Root Protection Areas (RPAs) of these trees, and it is therefore recommended that no excavations should be undertaken within the RPAs to prevent the direct risk of harm to the roots of these trees. The Tree Officer has recommended that an Arboricultural Method Statement is required by condition of any permission granted to ensure that the retained trees are protected throughout the development.
- 9.25 There are three trees within the application site which are proposed to be removed as part of the development (1 on the south-western boundary and 2 on the north-eastern boundary). The Tree Officer has not raised any objection to the loss of these trees, provided that replacement tree planting is undertaken. A Landscaping Plan has been submitted as part of the application which proposes replacement tree planting on the north-eastern boundary of the site and other areas of shrub and groundcover planting in other areas adjacent to the proposed MSCP building. The Tree Officer has commented that the proposed species, sizes and planting methods are considered to be appropriate and sufficiently mitigate for the loss of the existing trees. The proposal is therefore considered to accord with the requirements of Policy R17 of the adopted District Plan.

3. Residential amenity

- 9.26 The NPPF is clear that planning should be a means of finding ways to enhance and improve the places in which people live their lives. This means that authorities should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
- 9.27 Policies D1 and R19 of the District Plan seek to ensure that no new development would adversely affect the existing area either in terms of any built form or in terms of the operation of any uses from noise and vibration pollution.
- 9.28 There are existing residential properties to the north-east, south and north-west of the site and the proposed building will result in a significant change to the outlook from these properties. It is considered that the retention and enhancement of existing landscaping along The Common and the proposed perforated screening system to be attached to the external elevations of the building will assist in reducing this impact. Having regard to the distance between the proposed building and these properties it is not considered however that the

proposal would result in any unacceptable impacts in respect of loss of light or overbearing impact. A Daylight, Sunlight and Overshadowing Assessment has been submitted with the application and this concludes that the relevant daylight, sunlight and overshadowing BRE criteria (based on Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice, Building Research Establishment (BRE) 2011) were achieved at all of the 111 existing window locations (which were identified as worst-case positions), and the impacts of the development in this respect are therefore considered to be not significant. The proposal is therefore considered to accord with Policy D1 of the adopted District Plan and the Supplementary Design Guidance (Feb 2005) in this respect.

- 9.29 In respect of noise and disturbance, Public Health and Protection have commented that as the proposed multi storey car park is to be built in place of an existing surface car park, the overall change in noise levels is likely to be negligible. Whilst the open sided nature of the proposed MSCP allows for natural ventilation without the need for additional mechanical ventilation, if any plant and equipment did need to be provided, Public Health and Protection recommend that a condition is attached to any grant of permission requiring that any noise from plant and equipment is 10dB below the background noise level at the nearest residential property (5dB below if no tonality or other defining characteristics are present and evidence of this is provided). To protect the amenity of the occupiers of nearby residential properties, such a condition is considered to be reasonable and necessary in this case. The proposal is therefore considered to accord with the requirements of Policy R19 of the adopted District Plan.
- 9.30 Public Health and Protection have commented that the proposed external lighting will need to be designed taking into account the ILP guidance in terms of light trespass into windows of sensitive receptors, and that vertical lux diagrams will be required to demonstrate that the external lighting will not result in concerns from the occupiers of nearby residential properties. A detailed lighting scheme has not been submitted with the application. If permission is granted however, to ensure that the requirements of Policy R20 of the adopted District Plan are met, it is recommended that a condition requiring the submission of a lighting scheme is reasonable and necessary in this case, to enable the acceptability of such a scheme on the living conditions of nearby residential properties to be considered.

4. Highways considerations

- 9.31 The proposal will replace an existing 148 space surface car park, with a 420 space MSCP. The existing car park is currently accessed from Robin Hood Lane, via The Common, and access to the proposed car park will still be from Robin Hood Lane, albeit in a slightly altered position. The car park is proposed to operate on a one-way circulatory system, similar to the existing car park, and the exit from the car park will be onto the south-western part of Robin Hood Lane.
- 9.32 The proposed entry to the MSCP would be some 30 metres from the junction of Robin Hood Lane with The Common. Whilst there may be occasions when vehicles are queuing to enter the car park i.e. when waiting for cars to manoeuvre into/out of spaces, the submitted Transport Assessment states that there would need to be a significant number of vehicles accessing the car park at the same time and for the manoeuvring vehicle to be taking an inordinate amount of time close to the entrance, for the queuing traffic to overspill onto the public highway. Furthermore, the MSCP is not proposed to be barrier controlled which

the Transport Assessment states would be the main factor that would result in vehicles queuing to enter the car park. The proposed siting and access and egress arrangements for the MSCP are also not considered to affect the existing access to the loading bays and private parking areas to the rear of the Town Centre.

- 9.33 As the MSCP is proposed to replace car parking spaces which will be lost elsewhere in the town centre, it is likely that the traffic generation associated with it will include a significant number of redistributed trips from other car parks, rather than a significant increase in new trips within the local network.
- 9.34 However, as the proposal consolidates the parking provision from three car parks within the MSCP, there will be an increase in the number of vehicles using The Common to access and exit the site. The submitted Transport Assessment states that the additional traffic generated by the car park during the critical weekday peak hour periods can be accommodated at The Common/Wellfield Road, Wellfield Road/Queensway and Lemsford Road/Queensway roundabouts. The proposed MSCP will however result in an impact on The Common/Lemsford Road junction, which during the weekday and Saturday peak hour periods will operate at, or above its theoretical capacity. The modelling, as discussed in the submitted Transport Assessment, indicates that the additional queueing as a result of the issues with capacity at this junction would be confined to The Common, but at its peak will extend back broadly to the car park frontage.
- 9.35 The Highway Authority, whilst recognising the capacity issues at The Common/Lemsford Road junction have commented that the traffic generation associated with the proposal is not considered to have a severe impact on the local highway network, and they do not wish to restrict the grant of planning permission.
- 9.36 The submitted Transport Assessment has also reviewed the most recent five years Personal Injury Accident data for the highway network surrounding the town centre. The data indicates that there have been 36 recorded accidents within the study area and data period, and that there are no patterns or clusters which would indicate any underlying cause that could be attributed to an existing safety problem within the highway network. The submitted Transport Assessment therefore concludes that there are no accident or safety problems within the local highway network that would be exacerbated by the development proposed.
- 9.37 Whilst the application site is currently used as a surface car park serving the town centre, the proposed MSCP will result in an increase in the number of people using the car park and therefore an increase in the number of pedestrians accessing the town centre from this location. The proposed layout of the development and its siting in relation to the pedestrian access routes to the town centre will result in some conflict between pedestrians and vehicles accessing and exiting the car park. However, having regard to the low vehicle speeds in Robin Hood Lane and that similar conflicts already exist with the existing surface car park, the proposal is not considered to result in significant harm to pedestrian safety.
- 9.38 To improve pedestrian access to the town centre, the application also proposes public realm improvement works to Robin Hood Lane which include improvements to the footway on the eastern side of Robin Hood Lane, the provision of identified crossing points from the car park within Robin Hood Lane

and improved signage to the town centre. Such measures would assist in improving the safety of pedestrian movements within the vicinity of the site, improvements to the public realm and the legibility of access to the town centre.

- 9.39 WelHatCycling, which is a local cycling campaign group, have raised concerns with the proposal that whilst they are encouraged that cycle parking will be provided as part of the development, this cycle parking would be isolated from the local cycle network, and therefore improvements to the cycle network should be provided as part of the development. The representation comments that a number of improvements should be funded by the developer, including improvements such as the provision of an off-road cycle path alongside The Common, the extension of the cycle path alongside Wellfield Road and the provision of a toucan crossing on Queensway.
- 9.40 The Hatfield 2030+ Transport Strategy sets out how the transport elements of the Hatfield 2030+ project (which is a project to create a framework to help guide the redevelopment and revitalisation of Hatfield) can be achieved. In respect of cycling the Strategy seeks to provide a more connected and complete cycle network throughout the town, through the provision of segregated cycle lanes (where existing or anticipated cyclist numbers are substantial) to quietways (not a designated cycle lane but a recognised location where cycling might happen). The Strategy identifies The Common as a quietway and proposes measures that seeks to reduce the speed of vehicles (speed humps and table top treatments).
- 9.41 The improvements to the cycle network requested by WelHatCycling do not therefore align with the proposed improvements set out in the Hatfield 2030+ Transport Strategy. Furthermore, the proposed development would result in an intensification of the existing use of the site as a car park, rather than a change in the nature of the development i.e. no new residential or commercial development is proposed. Therefore having regard to the nature of the proposed development, it is not considered that the requested improvements to the local cycle network would in this case be directly related to the development or necessary to make the development acceptable in planning terms. It is also relevant to note that County Highways did not make any comments in their consultation response in respect of any requirement for cycle parking provision or access to the local cycling network.
- 9.42 Notwithstanding the above, the Applicant has stated that they are willing to provide space for the parking of cycles within the application site. To avoid conflict between cyclists and motor vehicles, it was felt that providing cycle parking provision within the MSCP could result in conflict between the different modes of transport. It is therefore proposed to supplement the separate motorcycle parking proposed (alongside the main stair and lift shaft) with four hoops providing secure space for up to eight cycles. This would be in addition to the eleven cycle hoops which have recently been installed on the alleyway approaches to White Lion Square.

5. Other considerations

i) Flood risk and sustainable drainage

- 9.43 The NPPF deals with issues of climate change and flooding and by means of the sequential test seeks to steer new development to areas with the lowest probability of flooding. The flood zones are the starting point for this approach.

The EA identifies Flood Zones 2 & 3 and all land outside those zones is in flood Zone 1. This site is located within Flood zone 1 i.e. a low probability of flooding, and the Environment Agency have no comments to make on the application in respect of the impact of the development on flood risk.

- 9.44 The submitted Drainage Strategy outlines that the existing car park surface water is collected by gullies located around the car park, which connect to an existing below ground drainage system which discharged in to the public surface water sewer. Due to the constrained nature of the site and the existing impermeable surface, there are limited options for the use of sustainable drainage systems in this case. The application proposes to use a cellular attenuation system (which would provide 136.80 cubic metres of storage) and would discharge into the surface water sewer. The rate of discharge is proposed to be restricted. Following the submission of additional information, the Lead Local Flood Authority have confirmed that they have no objection to the development, subject to conditions.
- 9.45 Affinity Water originally objected to the application. The site is located within a defined groundwater source protection zone corresponding to Hatfield Pumping Station. They commented that at present this is used as a scavenger source to manage the bromate plume, comprising a number of chalk abstraction boreholes, operated by Affinity Water, and they were concerned that the development had the potential to impact adversely on the scavenging activity and potentially cause further impact on other downstream public water supply sources. Following the submission of additional information which included clarification on the points raised by Affinity Water and details of the proposed oil/water interceptor, Affinity Water have withdrawn their objection, subject to conditions being attached to any permission granted. They have commented that it has now been confirmed that surface water will not be disposed of via infiltration and that a petrol interceptor will be present reducing the risk of pollution entering the surface and ground water network. They are also satisfied that there is no unacceptable risks to groundwater from contaminated land and that foundation works are not anticipated to be below the groundwater table.
- 9.46 It is therefore considered that subject to conditions, the proposed development would accord with policy R7 of the adopted District Plan.

ii) Contaminated land

- 9.47 District Plan Policy R2 states that the Council will encourage development on land that may be contaminated. However, on such sites applications must be accompanied by a full survey of the level of contamination and proposals for remediation of the site.
- 9.48 Both Phase I and Phase II Geo-Environmental Site Assessments have been submitted with the application, and the Assessments have not identified any potentially unacceptable risks with respect to contamination and conclude that the site is suitable for the proposed end use. Public Health and Protection have commented that the submitted Assessments show that there were no exceedances of the Tier 2 Assessment Criteria, and that due to the end use of the site as a car park, it would be unlikely for a pathway to occur, even if there were contamination of any significance found. They do however recommend that a condition is attached to any grant of permission requiring the Local Planning Authority to be contacted if any unexpected contamination is found when carrying

out the approved development. Having regard to the conclusions of the Assessment and the comments of Public Health and protection, the proposed development is considered to accord with Policy R2 of the adopted District Plan.

iii) Air Quality

- 9.49 District Plan Policy R18 requires that the potential effects of a development on local air quality are considered whether determining planning applications. An Air Quality Assessment was submitted with the application which concludes that the impacts on pollutant levels as a result of the operation of the development were predicated to be not significant at all sensitive locations in the vicinity of the site. Furthermore, the open sided nature of the proposed MSCP allows for sufficient natural ventilation without the need for additional mechanical ventilation. Public Health and Protection have not raised concerns with the findings of the submitted Assessment. The proposed development is therefore considered to accord with Policy R18 of the adopted District Plan.

iv) Archaeology

- 9.50 District Plan Policy R29 states that the Council will require developers to undertake an archaeological assessment where the proposed development may affect remains of archaeological significance, or may be sited in an area of archaeological potential.
- 9.51 The Historic Environment Advisor has commented that whilst the proposed development is of considerable size and has potential below ground impact, the site is in an area that is likely to be heavily disturbed by past development, and that the construction of the New Town in the mid 19th century, and its subsequent demolition, has probably removed any archaeological layers that may have been present. Accordingly they conclude that the proposed development is unlikely to have an impact on heritage assets of archaeological interest, and therefore have no comment to make in respect of the proposal. The proposal is therefore considered to accord with Policy R29 of the adopted District Plan.

v) Disabled access and parking provision

- 9.52 District Plan Policy D9 requires that all new development should be designed to allow access by the disabled. The application proposes a total of 18 disabled parking spaces which are proposed to be located on the ground floor of the MSCP. The adopted Car Parking Standards (January 2004) specify parking standards for disabled motorists for different types of developments, including shops/premises to which the public have access/recreation. Whilst this application does not propose any retail/commercial/community premises, it does provide parking provision for the town centre, and therefore it is considered that some weight can be given to the specified parking standards in this case. The standards specify that for more than a 200 space car park, a minimum of 4 spaces plus 4% of the total capacity should be provided. In this case, that would equate to a minimum provision of disabled spaces of 20.8 spaces.
- 9.53 It is noted that guidelines (Inclusive Mobility) published by the Department of Transport (DoT) in 2005 recommend that for car parks associated with shopping areas, leisure or recreational facilities, and places open to the general public, 6% of the total capacity should be for visiting disabled motorists, which would equate to a requirement of 25.2 spaces in this case. However, research undertaken in

2009 indicated that the 6% one size fits all approach leads to oversupply in some situations and undersupply in others. It was suggested that there should be more flexibility in the guidance, and the British Parking Association recommended that for a car park with 201-500 spaces, 4 spaces plus 3% of the total car park should be provided. That would equate to 16.6 spaces in this case.

9.54 There is therefore varying guidance on the number of disabled parking spaces that should be provided, and dependent on which guidance is used the proposed MSCP would provide an oversupply or an undersupply. As the proposed MSCP would replace existing parking provision (at The Common, Link Drive and Lemsford Road) it is relevant to have regard to the existing number of disabled parking spaces provided within those car parks. Currently 10 disabled parking spaces are provided in The Common car park, 2 at Link Drive and 4 at Lemsford Road, which is a total of 16 spaces. The MSCP proposes a total of 18 disabled parking spaces which is an increase of 2 spaces on the existing provision within the town centre. Whilst it is acknowledged that the number of spaces proposed would be less than those required by the Council's adopted parking standards and the DoT guidelines, it would be more than is recommended by the British Parking Association and more than currently exists within the town centre. On balance therefore, it is considered that the number of disabled spaces proposed is acceptable in this case. If a need for further disabled parking spaces were to be identified in the future, it is considered that this need could be accommodated within the MSCP through the re-allocation of spaces.

9.55 A lift is proposed within the MSCP which will provide access for those with disabilities, mobility problems and for those with young children in prams and pushchairs to the upper floors of the MSCP.

vi) Electric car charging points

9.56 There are no policies within the adopted District Plan which require the provision of electric vehicle charging points. Policy SADM 12 (Parking, Servicing and Refuse) of the emerging Local Plan states that electric vehicle charging points will be incorporated into parking areas for new neighbourhood centre and the necessary infrastructure provided for major residential schemes.

9.57 A total of 8 electric vehicle charging points are proposed within the MSCP. The applicant has stated that the range and number of spaces with the MSCP was determined in consultation with the Council's Parking Team and was considered to be appropriate for the anticipated demand. Whilst it is noted that a representation has been received which considers that the number of electric vehicle charging points proposed is 'short sighted', if the demand for such points/spaces were to increase, there is sufficient capacity within the MSCP to add additional charging points at a later date. Therefore, without any specific adopted guidance on the number of electric vehicle charging points required as part of developments, it is considered that the number proposed as part of this development is acceptable.

vii) Energy Efficiency

9.58 District Plan Policy R3 expects all development to include measures to maximise energy conservation through the design of buildings, site layout and provision of landscaping. The applicant has stated that the proposed MSCP will use very little energy, as the only requirements for power are lighting (which is proposed to be

motion sensitive lighting and will only therefore be used when required), CCTV and the charging points of electric vehicles. The applicant has also commented that the proposed modular steel frame construction has environmental benefits over more traditional construction methods, and the use of steel also enables the option of reuse at a later date as large portions of the structure can be dismantled and reassembled in an alternative location, or alternatively steel is capable of being recycled.

- 9.59 Due to the nature of the proposed development and the constraints of the site, it is difficult to include other measures to maximise energy conservation or to encourage greater use of renewable energy sources. It is therefore considered that in this case, the proposal would as best it can accord with Policy R3 of the adopted District Plan.

viii) Other matters

- 9.60 District Plan Policy D7 (Safety by Design) requires the design of new development to contribute to safer communities, to help with the reduction of the fear of crime. The Architectural Liaison Officer of Hertfordshire Constabulary has commented that crime prevention measures have been incorporated into the design of the proposed development, and they therefore fully support the application. In light of these comments it is considered that the proposal would not result in any conflict with the requirements of Policy D7.
- 9.61 The Spatial Planning Unit, Hertfordshire County Council have commented that according to British Geological Data the proposed development site could be underlain with sand and gravel deposits. They encourage the opportunistic use of these deposits (if they are of suitable quality) should they be found in the construction of the development. The Applicant has indicated that they will make every effort to do so if deposits are found, and it is recommended that an informative is added to any permission granted to remind the Applicant of this.
- 9.62 The Spatial Planning Unit have also highlighted the requirements of Policy 12 of the Hertfordshire County Council Waste Core Strategy and Development Management Policies Development Plan Document 2012 (Waste Local Plan) which requires the submission of a Site Waste Management Plan (SWMP) to assist in reducing the amount of waste produced on site. They advise that a SWMP should be required as a condition of any permission granted, and having regard to the requirements of Policy 12 of the Waste Local Plan such a condition is reasonable and necessary in this case.

6. Environmental Impact Assessment

- 9.63 A request for a screening opinion pursuant to Regulation 5 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) was submitted to the Council in July 2019 to establish whether the proposed developments which formed part of the Council's town centre renewal programme (The Common, 1-9 Town Centre and Link Drive) constituted environmental impact assessment development (ref. 6/2019/1804/EIA). It was determined that the proposed developments would not have significant environmental effects by virtue of factors such as their nature, size or location and would not therefore constitute environmental impact assessment development.

7. The planning balance

- 9.64 Whilst there is no objection in principle to development in this case, and the proposed development would facilitate the wider regeneration of the town centre, it has been identified that the proposed MSCP will result in harm to the character and appearance of The Common. The need for the MSCP and the number of parking spaces proposed has been justified, and due to the nature of the use and the amount of spaces required, it is difficult to reduce the size and scale of building required to accommodate the proposal. Therefore, the identified need for a building of this size and scale has to be balanced against the impact on the character and appearance of The Common streetscene. It is therefore considered that in this case the wider regeneration benefits of the proposal and the provision of consolidated parking provision for the town centre, would outweigh the harm identified to the character and appearance of the streetscene.

10 Conclusion

- 10.1 There is no objection in principle to development in this case and the proposal would facilitate the redevelopment of other sites within the town centre which would result in benefits from the regeneration of these sites and the town centre as a whole.
- 10.2 Subject to conditions the proposal would have no significant adverse impact upon designated heritage assets, residential amenity, highways, flood risk and sustainable drainage, contaminated land, air quality, archaeology and other relevant matters. Harm has been identified to the character and appearance of The Common streetscene, but for the reasons set out above it is considered that this harm is outweighed by the benefits of the proposed development in this case.
- 10.3 Accordingly and for the reasons given, the proposal is recommended for approval.

11 Recommendation

- 11.1 It is recommended that planning permission be approved subject to the following conditions:

PRE-COMMENCEMENT CONDITIONS

1. 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;
 - f. Cleaning of site entrances, site tracks and the adjacent public highway;
 - g. Timing of construction activities to avoid school pick-up/drop-off times;

- h. Provision of sufficient on-site parking prior to commencement of construction activities;
- i. 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 and rights of way in accordance with the National Planning Policy Framework.

2. No development shall take place until a detailed surface water drainage scheme for the site based on the approved drainage strategy and sustainable drainage principles, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including 1 in 100 year + climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
 1. Detailed engineered drawings of the proposed SuDS features including cross section drawings, their size, volume, depth and any inlet and outlet features including any connecting pipe runs.
 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 the increased risk of flooding, both on and off site, in accordance with Policy R7 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

3. Prior to commencement of the development hereby approved, a Site Waste Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Management Plan as approved shall be implemented throughout the construction period.

REASON: To ensure measures are in place to minimise waste generation and maximise the on-site and off-site reuse and recycling of waste materials, in accordance with Hertfordshire Waste Core Strategy and Development management Policies DPD 2012 and Policy R5 of the Welwyn Hatfield District Plan 2005.

4. Prior to the commencement of development hereby approved, an Arboricultural Method Statement including details of tree protection measures shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be undertaken in accordance with the approved details.

REASON: To protect the existing trees in the interest of visual amenity in accordance with Policies D8 and R17 of the Welwyn Hatfield District Plan 2005.

5. Prior to the commencement of the development hereby approved, a method statement shall be submitted to and approved in writing by the Local Planning Authority confirming that the construction works and operation of the

proposed development site will be done in accordance with the relevant British Standards and Best Management Practices.

REASON: In the interests of protection of groundwater, in accordance with Policy R7 of the Welwyn Hatfield District Plan 2005.

PRIOR TO ABOVE GROUND DEVELOPMENT

6. Prior to commencement of above ground works, details of the finished surface of the parking areas shall be submitted to, and approved in writing by the Local Planning Authority and such surfaces shall be completed to the Authority's satisfaction before any part of the development is first brought in to use.

REASON: In the interest of amenity and highway safety in accordance with Policy D1 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

7. Prior to commencement of above ground works, details of the external materials of construction of the development hereby approved, including detailed drawing of the graphics to be used on the metal sheet elevations, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall accord with the approved details.

REASON: In the interest of the appearance of the development in accordance with Policy D1 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework

PRIOR TO USE

8. Prior to the first use of the development hereby approved, the vehicular accesses shall be provided and thereafter retained at the positions shown on the approved plan drawing number P004 – Rev C. Arrangements shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the public highway.

REASON: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway, in accordance with the National Planning Policy Framework.

9. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment prepared by Conisbee, reference 171032/M Orellana, dated 26th January 2019 and the following mitigation measures detailed within the FRA:
 1. Limiting the surface water run-off generated by the critical storm events so that it will not exceed the surface water run-off rate of 2.8 l/s during the 1 in 100 year event plus 40% of climate change event.
 2. Providing storage 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 providing a minimum of 136.80 m³ (or such storage volume agreed with the LLFA) of total storage volume in permeable paved area.
 3. Discharge of surface water from the private drain into the Thames Water sewer network.

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.

REASON: To prevent flooding by ensuring the satisfactory disposal and storage of surface water from the site and to reduce the risk of flooding to the proposed development and future users, in accordance with Policy R7 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

10. Prior to the first use of the development hereby approved, details of any internal or external lighting scheme (including vertical lux diagrams which show potential light trespass into windows of nearby residential properties), shall be submitted to and approved in writing by the Local Planning Authority. The scheme must meet the requirements within the Institution of Lighting Professionals guidance notes for the reduction of obtrusive lighting. Thereafter the development shall be undertaken in accordance with the approved details.

REASON: To protect the amenity of existing residential properties in the near vicinity to the development, in accordance with Supplementary Design Guidance 2005.

11. Prior to the first use of the development hereby approved, details of public realm improvements to Robin Hood Lane, including works to the existing footway adjacent to the eastern part of Robin Hood Lane, the provision of pedestrian crossing points and directional signage to the town centre, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be undertaken in accordance with the approved details.

REASON: In the interest of pedestrian safety, in accordance with Policy M5 of the Welwyn Hatfield District Plan 2005.

12. Prior to the first use of the development hereby approved, details of the location and method of motorcycle and cycle parking provision, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be undertaken in accordance with the approved details.

REASON: In the interest of ensuring parking provision for motorcycles and cycles, in accordance with Policies M6 and M8 of the Welwyn Hatfield District Plan 2005.

13. Prior to the first use of the building hereby approved, the landscaping scheme shall be carried out in accordance with the approved details. Any 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 in the next planting season with others of similar size and species. All landscape works shall be carried out in accordance with the guidance contained in British Standards 8545: 2014.

REASON: To ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development in accordance with Policies D2 and D8 of the Welwyn Hatfield District Plan 2005.

14. Prior to the first use of the development hereby approved, a minimum of 18 disabled parking spaces as shown on the approved plans shall be provided and thereafter retained for the duration of the use of the building as a car park.

REASON: To provide accessible parking bays and a high standard of design of the development in line with Policies D1 of the Welwyn Hatfield District Plan, national guidance and the National Planning Policy Framework.

OTHER

15. Noise from plant and equipment associated with the development shall be 10dB (LAeq) below the background noise level (LA90) at the nearest residential properties (5dB below the background noise level if evidence is provided which shows that no tonality or other character is present).

REASON: To protect the amenity of residents in the locality, in accordance with the Supplementary Design Guidance 2005.

16. In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing within 7 days to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination, development must be halted on that part of the site.

Before development recommences on the part of the site where contamination is present a scheme outlining appropriate measures to prevent the pollution of the water environment, to safeguard the health of intended site users, and to ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation and approved conclusions shall be submitted to and approved in writing by the Local Planning Authority.

Thereafter the development shall not be implemented otherwise than in accordance with the approved remediation scheme.

REASON: To ensure that the potential contamination of this site is properly investigated and its implication for the development approved fully taken into account, in accordance with Policy R2 of the Welwyn Hatfield District Plan 2005.

17. a) No retained tree or shrub shall be cut down, uprooted or destroyed, nor shall any retained tree or shrub be pruned other than in accordance with the approved plans and particulars. Any topping or lopping approved shall be carried out in accordance with British Standard 3998:2010 (Tree Work).
- b) If any retained tree or shrub is removed, uprooted or destroyed or dies, another tree or shrub shall be planted at the same place and that tree or

shrub shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

- c) The erection of fencing for the protection of any retained tree shrub or hedge shall be undertaken in accordance with details approved by condition 4, before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority. No fires shall be lit within 20 metres of the retained trees and shrubs.

In this condition, retained tree or shrub, means an existing tree or shrub, as the case may be, which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) above shall have effect until the expiration of five years from the first use of the building for its permitted use.

REASON: To protect the existing trees, shrubs and hedgerows in the interest of visual amenity in accordance with Policy D8 of the Welwyn Hatfield District Plan 2005.

18. If groundwater is encountered during construction, Affinity Water and the Local Planning Authority should be notified immediately.

REASON: In the interest of protection of groundwater, in accordance with Policy R7 of the Welwyn Hatfield District Plan 2005.

19. If any changes to foundation designs as outlined in the Phase II Geo-Environmental Site Assessment (May 2019) are proposed, particularly if these are to extend into the saturated zone at approx. 6.50mbgl, Affinity Water and the Local Planning Authority should be notified immediately.

REASON: In the interest of protection of groundwater, in accordance with Policy R7 of the Welwyn Hatfield District Plan 2005.

20. The car park hereby approved shall not be made available for use until such time as the public car parks at Link Drive and Lemsford Road are closed for use by the general public.

REASON: In order to ensure that the proposals do not undermine opportunities to reduce travel demand in accordance with Policy 1 of Hertfordshire County Council's Local Transport Plan 4.

DRAWING NUMBERS

21. The development/works shall not be started and completed other than in accordance with the approved plans and details:

Plan Number	Revision Number	Details	Received Date
P001	A	Existing Site Location Plan	5 November 2019

P002	B	Existing Block Plan	4 October 2019
P003		Existing Site Sections	4 October 2019
P004	C	Proposed Block Plan	4 October 2019
P005		Proposed Ground Floor Plan	5 November 2019
P006		Proposed First & Second Floor Plan	5 November 2019
P007		Proposed Third Floor Plan	5 November 2019
P008		Proposed Elevations North & East	5 November 2019
P009		Proposed Elevations South & West	5 November 2019
P010	A	Proposed Bay Elevations	5 November 2019
P011		Proposed Site Sections	4 October 2019
112		Core Elevation	4 October 2019

REASON: To ensure that the development is carried out in accordance with the approved plans and details.

POSITIVE AND PROACTIVE STATEMENT

The decision has been made taking into account, where practicable and appropriate the requirements of paragraph 38 of the National Planning Policy Framework and material planning considerations do not justify a decision contrary to the development plan.

INFORMATIVES

1. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to the following website:
<https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services>
2. 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://beta.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>
3. 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://beta.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

4. 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://beta.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>
5. The planning authority has determined the application as very low risk from chalk mining, on the basis of the information available to it but this does not warrant or indicate that the application site is safe or stable or suitable for the development proposed, or that any nearby land is structurally stable. The responsibility for safe and suitable development rests upon the developer and/or land owner and they should take a watching brief during construction for any chalk mines. Should evidence be found, expert advice from properly qualified experts should be sought, to ensure that the historic chalk mining activities in the area will not adversely affect the development. Details should be submitted to the Local Planning Authority for approval.
6. All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Council, shall be carried out only between the hours of :

8.00am and 6.00pm on Mondays to Fridays

8.00am and 1.00pm Saturdays

and at no time on Sundays and Bank Holidays

The best practicable means, as defined in section 72 of the Control of Pollution Act 1974, to reduce noise to a minimum shall be employed at all times

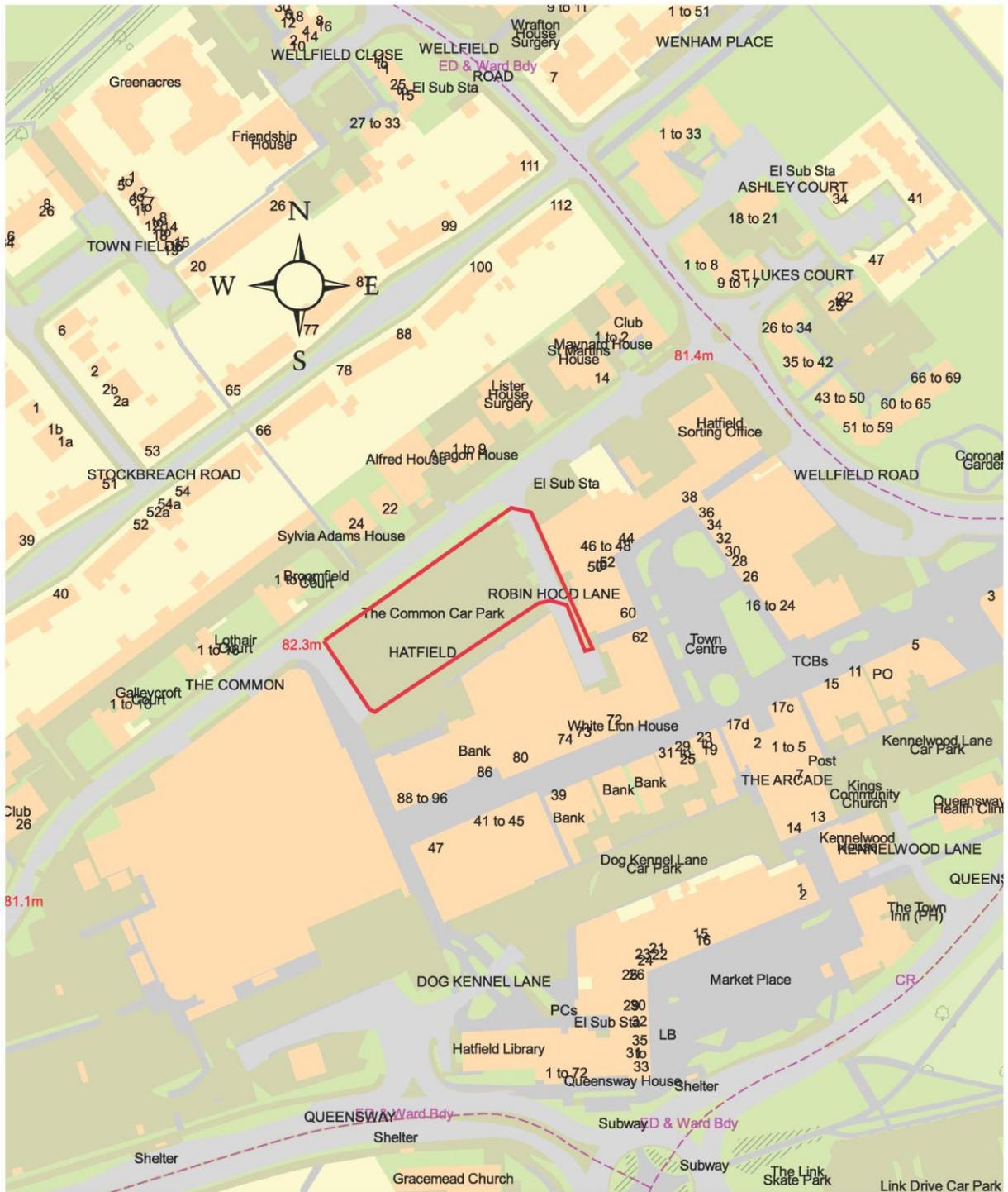
7. All plant and machinery in use shall be properly silenced and maintained in accordance with the manufacturers' instructions.
8. All compressors shall be sound reduced models, fitted with properly lined and sealed acoustic covers, which shall be kept closed whenever the machines are in use. All ancillary pneumatic percussive tools shall be fitted with mufflers or silencers of the type recommended by the manufactures.
9. All machines in intermittent use shall be shut down during intervening periods between work, or throttled down to a minimum. Noise emitting equipment, which is required to operate continuously, shall be housed in suitable acoustic enclosures.
10. Items of plant and equipment shall be maintained in good condition so that extraneous noise from mechanical vibration, squeaking or creaking is reduced to a minimum.
11. All pile driving shall be carried out by a recognised noise reducing system.

12. Where practical, rotary drills and bursters, actuated by hydraulic or electric power shall be used for excavating hard material.
13. In general, equipment for breaking concrete and the like, shall be hydraulically actuated.
14. 'BS 5228 Noise Control on Construction Sites' should be referred to for guidance in respect of all work carried out by the developer, their main contractor and any sub contractors.
15. All efforts shall be made to reduce dust generation to a minimum.
16. Stock piles of materials for use on the site or disposal, that are likely to generate dust, shall be sited so as to minimise any nuisance to residents or neighbouring businesses. Materials for disposal shall be moved off site as quickly as possible.
17. Water sprays shall be used, as and when necessary, to reduce dust from particularly "dusty" activities or stock piles.
18. According to British Geological Data the proposed development site could be underlain with sand and gravel deposits. The county council, as the Minerals Planning Authority, would like to encourage the opportunistic use of these deposits (if they are of suitable quality), should they be found in construction of the developments (deposits may be found in the creation of foundations and footings).

POSITIVE AND PROACTIVE STATEMENT

The decision has been made taking into account, where practicable and appropriate the requirements of paragraph 38 of the National Planning Policy Framework and material planning considerations do not justify a decision contrary to the development plan.

Liz Aston (Development Management)
Date: 20 January 2020



 <p>WELWYN HATFIELD</p> <p>Council Offices, The Campus Welwyn Garden City, Herts, AL8 6AE</p>	Title: 22 The Common Hatfield		Scale: DNS	
			Date: 2020	
	Project: Development Management Committee	Drawing Number: 6/2019/2478/MAJ	Drawn: Baras Mast-Ingle	
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Classification: Unrestricted

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