

Part I

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(Hatfield East)

WELWYN HATFIELD BOROUGH COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE – 20 JANUARY 2022
REPORT OF THE HEAD OF PLANNING

6/2019/2431/MAJ

LINK DRIVE CAR PARK, LINK DRIVE, HATFIELD, AL10 8TY

ERECTION OF A 6 X STOREY BUILDING COMPRISING OF 80 X FLATS,
ASSOCIATED WORKS TO INCLUDE UNDERCROFT CAR PARKING, CYCLE
PARKING, PLANT AND REFUSE STORAGE

APPLICANT: WELWYN HATFIELD BOROUGH COUNCIL

1 Site Description

1.1 The site (which is some 0.43 hectares in size) is located to the south of Queensway and the north of Link Drive. The site is currently used as a surface car park which has 114 spaces (long stay). The car park is operated by the Borough Council. Vehicular access to the site is from Link Drive and there is pedestrian access to the site from the town centre (via both a pedestrian crossing and underpass further to the north-east).

2 The Proposal

2.1 The application seeks planning permission for the erection of a 6 storey building comprising 80 flats (30 1-bed and 50 2-bed). A total of 74 parking spaces are proposed and space for the storage of 80 cycles.

2.2 The planning committee resolved to grant planning permission on 16th July 2020 subject to completion of a S106 agreement. Lovell have since been appointed as a developer partner to take forwards the scheme, as well as the project at One Town Centre (planning application ref: 6/2019/2430/MAJ).

2.3 Through the design development, Lovell are seeking to make a number of amendments to both schemes. At the time it was intended that minor material amendment (s73) applications would be submitted for both applications, however due to delays in signing of the S106 agreement for Link Drive it has been agreed that the proposed amendments will instead be secured under the current application (ref: 6/2019/2431/MAJ). As such, Lovell are hereby submitting an amended set of plans and reports for consideration.

2.4 The key amendments are:

- Relocation of all affordable housing to One Town Centre;
- Changes to the energy and ventilation strategy and change to fire regulations, have in turn led to changes to the facades of the building and amendments to the internal layout.

- Minor changes to the landscaping scheme;
- Additional fire escape route from the external car park;
- Car parking spaces reconfigured;
- Small amendments to cycle/bin storage;
- Parent car parking spaces removed;
- Inclusion of two Electric Charging Points;
- Amendments to either remove conditions or amend wording of conditions;
- Inclusion of demountable balustrade on roof;
- Movement of whole building by 0.5 metres to the north.

2.5 Although this application has a resolution to grant planning permission subject to completion of a S106 agreement, the submission of amended plans and documents needs to be considered alongside the original analysis of the committee report heard by Development Management Committee in July 2020.

2.6 Many of the consultees on receipt of the re-consultation for the amended plans and documentation, have referred back to their original consultation response or have only responded in light of the amended plans and documents. Therefore this is a hybrid committee report taking into consideration, the original consultation and neighbour responses alongside the consultation and neighbour responses submitted for the amendments. It should be noted that much of the original analysis, original conditions and informatives remain necessary and relevant for the approval of this planning application.

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 is the applicant. The application is also required to be presented alongside the application for One Town Centre (6/2021/1987/VAR) as Lovell intend to move all affordable housing units from this application, Link Drive, to One Town Centre.

4 Relevant Planning History

4.1 A pre-application was submitted in late 2020 to discuss the proposed amendments and the procedure for securing these. This significant pre-application involved a number of internal and external consultees. The pre-application report provided a number of recommendations which have been brought forward to the amended plans and documents submitted under this planning application.

4.2 As discussed above, it is intended for all affordable housing units to be located at One Town Centre. Therefore the below applications are relevant to the consideration of this application.

Application address: 1 and 1A Town Centre and 3-9 Town Centre Hatfield AL10 0JZ

Application number: 6/2021/1987/VAR

Proposal: Removal of condition 4 (cycle only route) and variation of conditions 6 (noise scheme), 7 (electric car charging points), 9 (accessible housing), condition 13 (integration with existing cycle facilities), 17 (parking), 19 (planting), 28 (Arboricultural Impact Assessment Report), condition 29 (Energy Strategy) and 30 (approved plans) on planning permission 6/2019/2430/MAJ.

Application number: 6/2019/2430/MAJ

Decision: Grant subject to S106.

Decision date: 3/2/2021

Proposal: Demolition of existing buildings and the erection 3 x buildings comprising of 71 x flats and 1,110 sqm of flexible commercial uses (use class: A1, A2, A3, A4, D1 & D2) (including a small office element (B1a)) and associated works to include car and bicycle parking, plant and refuse storage and public realm works

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 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. This procedure has also been undertaken for the submission of the amended plans and documentation.
- 7.2 Consultation responses including conditions and informatives that are relevant have been carried through this committee report.

Representations received, documented and assessed as part of the committee report heard at Development Management Committee on the 16th July 2020.

- 7.3 In total 9 representations have been received, comprising 7 objections together with 1 in support of the proposal and 1 comment. All representations received are published in full on the Council's website and are summarised below:

Objections

- Loss of parking and long stay parking;
- Because of the new parking permit systems roads around the town centre that are not in the permit system are getting clogged up with cars;
- There is not enough parking in the town centre;
- The removal of the Link Drive car park will cause loss of footfall to Market Place;

- Roads will not be able to cope with the added traffic from construction and residents;
- Insufficient services to cope with extra residents - doctors and schools are already struggling to cope with demand;
- Local businesses will lose staff and find recruitment difficult if staff have to commute via public transport if sufficient parking spaces are not available;
- More pollution from construction and new residents;
- The site is currently a green area and the development will overshadow that and will be a blot on the landscape.

Support

- The development is critical to the wider regeneration of Hatfield;
- Encourage swift delivery of the proposal in order to continue to move forward the comprehensive regeneration of the town centre.

Representations received in regards to the amended plans and documentation.

- 7.4 In total 2 representations have been received, comprising 2 objections. All representations received are published in full on the Council's website and are summarised below:

Objections

- Loss of a cycle route;
- Number of car parking spaces unclear;
- Electric charging points inadequate.

8 Consultations Received

Consultation responses received, documented and assessed as part of the committee report heard at Development Management Committee on the 16th July 2020.

- 8.1 The Garden's Trust – Objection summarised as follows:
- This area of Hatfield with lawns and trees on both sides of the road offers the contrast between the residential area and the town centre retail area. The building proposed would destroy the legibility of the new town idea and the green area which are so typical and essential in separating areas into discrete units.
- 8.2 The Rambler's Association – Objection summarised as follows:
- When comparing the submitted plans and the exact legal line of the footpath relative to the northern edge of the development site it is unclear whether the footpath has been mis-located on the submitted plans. There is also concern that the parking access road crosses the line of the footpath.
- 8.3 The following have responded advising that they have no objections to the proposal in principle, subject to conditions or obligations being applied:
- HCC Historic Environment Advisor
 - HCC Growth Team

- HCC Transport Programmes and Strategy
- HCC Fire and Rescue Service
- WHBC Public Health and Protection
- WHBC Client Services
- NHS
- Thames Water
- Cadent Gas
- Herts Constabulary
- WHBC Affordable Housing
- Affinity Water
- WHBC Parking
- HCC Spatial Planning
- Lead Local Flood Authority
- Historic England
- Place Services
- WHBC Landscape

8.4 No response was received from the following consultees:

- Herts and Middlesex Wildlife Trust
- Environment Agency
- Herts Ecology

Consultation responses received in regards to the amended plans and documentation.

8.5 Hatfield Town Council- Objection summarised as follows:

- Members would like to see protection for the Wollemia Nobilis tree.
- Whilst welcoming more climate friendly heating, question whether just 1 heat source pump would be better than 80 individual air source heat pumps.
- Cannot agree with locating all affordable housing at 1 Town Centre and refer to Section 5 para 63 of the NPPF - there is insufficient justification to not include social housing in this development.
- Inadequate parking.
- More electric parking vehicle spaces are needed to future-proof the development.
- In view of the cracks appearing in the skate park, there should be suitable protection & repair included as part of the conditions for this development (possibly by a s.106 Agreement).

8.6 The following have responded advising that they have no objections to the proposal in principle subject to conditions or obligations being applied:

- Place Services
- Herts Constabulary
- Cadent Gas
- WHBC Public Health and Protection
- The Gardens Trust
- HCC Transport Programmes and Strategy
- Historic England
- Lead Local Flood Authority
- HCC Growth Team

- WHBC Landscapes
- WHBC Housing
- HFRS Fire Protection
- Health and Safety Executive
- Hertfordshire Building Control Limited
- Client Services

It is noted that the informative for Cadent Gas is slightly differently worded.

8.7 No response was received from the following consultees:

- NHS
- The Rambler's Association
- HCC Spatial Planning
- Street Naming and Numbering
- WHBC Parking Services
- Herts Ecology
- WHBC Community Partnerships
- Thames Water
- Affinity Water
- Environment Agency
- Herts and Middlesex Wildlife Trust
- Historic Environment Advisor
- HCC S106 Contributions

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 and parking considerations**
- 5. Other considerations**
 - i) Flood risk and sustainable drainage**
 - ii) Energy Efficiency**
 - iii) Landscape**
 - iv) Contaminated land**
 - v) Archaeology**
 - vi) Refuse facilities**
 - vii) Electric Car Charging Points**
 - viii) Fire Safety**
 - ix) Other Matters**
- 6. Environmental Impact Assessment**
- 7. Planning obligations**
- 8. The planning balance**

1. Principle of the development

9.2 The principle of development has been established through the resolution to grant planning permission on the 16th July 2020 subject to completion of a S106

agreement. No amendments change the principle of development. However it is considered relevant to demonstrate the analysis of the principle of development as the S106 agreement was not signed to formalise the decision.

- 9.3 The site lies within the settlement of Hatfield, where in accordance with policy GBSP2 of the adopted District Plan there is no objection in principle to development. Furthermore, Policy R1 of the adopted District Plan states that the Council will require development to take place on land which has been previously used or developed, and this proposal would accord with that policy.
- 9.4 The site is proposed to be allocated in the emerging Local Plan as within the town centre boundary (Policy SADM 4) and as an opportunity area. Policy SADM 23 of the emerging Local Plan states that within this area the Council will allow proposals for changes of use or development for office, hotel, residential, leisure, community or education uses (falling within use classes B1(a), C1, C3, D1 and D2) provided that the proposal would:
- i. Support the regeneration of Hatfield Town Centre and its vitality and viability;
 - ii. Not harm the amenities of the occupiers of nearby residential areas;
 - iii. Be properly integrated into the retail core of the town centre, including the provision of good pedestrian linkages; and
 - iv. Provide adequate highway access and servicing arrangements and would not be detrimental to the highway network including highway safety.
- 9.5 The policy goes on to state that where the site currently provides car parking which serves the needs of the town centre as a whole, this must be replaced within the development proposals or in an appropriate alternative location.
- 9.6 In considering the principle of development, regard should also be had to the Hatfield New Town Renewal Framework July 2016 published by the Hatfield Renewal partnership which includes a long term strategy for the regeneration of the Hatfield town centre and identifies the application site as an opportunity area for consideration which could be realised for development to achieve high density residential provision.
- 9.7 The application proposes the erection of 80 flats on the site, to which there is no objection in principle in accordance with the adopted District Plan. Furthermore, support is found for the residential redevelopment of the site in the emerging Local Plan subject to a number of criteria being met and the replacement of the existing car parking provision.
- 9.8 Members will recall that planning permission was granted at the meeting of the Development Management Committee on the 6th February 2020 for the erection of a 4 storey, 420 space multi storey car park on The Common (ref. 6/2019/2478/MAJ). As set out in the report to the Committee, 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 and Lemsford Road and the reconfiguration and reallocation of the car park at Kennelwood Lane. Work has completed and is available from this multi storey car park, and provides for the parking spaces that would be lost from the site as a result of its redevelopment for residential development. It is therefore considered that in this respect the relevant part of Policy SADM 23 of the emerging Local Plan which requires the provision of replacement car parking has been met.

- 9.9 It is noted that concern has been raised in some of the representations received that the proposal would result in the loss of parking and that there is already insufficient parking in the town centre. As set out above, the public parking lost as part of this development would be replaced in the provision of the multi storey car park, although it is acknowledged this replacement parking would be located on the northern side of the town centre and may not be as convenient for nearby businesses and community uses as the existing parking provision at Link Drive.
- 9.10 It is also noted that concern has been raised that the loss of the car park will reduce footfall in Market Place, which is located to the north of the site and Queensway. The existing parking provision will be replaced however with 80 flats (30 x 1-bed and 50 x 2-bed) which could result in a total average occupancy of around 133 people. Pedestrian access to the town centre, across Queensway and via Market Place, is to be retained, and it is therefore considered that the existing footfall from users of the car park would be replaced by residents of the development who are accessing the town centre on foot.
- 9.11 Policy SADM 23 of the emerging Local Plan whilst allowing residential development on the site, does not outline the scale of development that is required or proposed. It does however require that any proposal supports the regeneration of Hatfield town centre and its vitality and viability, and the residential units proposed by this application in such close proximity to the core retail zone of the town centre would assist in supporting the vitality and viability of the town centre.
- 9.12 Policy H6 of the adopted Local Plan states that in central areas and areas with good accessibility by modes of transport other than the car, residential development will be expected to be close to or exceed 50 dwellings per hectare provided that the development will not have an adverse impact on the character of the surrounding area and can satisfy the design policies of the Plan. A similar approach is continued by policy SP 9 of the emerging Local Plan.
- 9.13 The proposed development would result in a density that would exceed the 50 dwellings per hectare figure specified in the policies. The sustainable location of the site is such that higher density development would be acceptable in principle in this location, and the provision of flats will also generally result in a higher density of development than when compared to houses. However, the main consideration in determining the acceptability of the density of the proposed development, will be in relation to the size, scale and design of the proposed development, and this will be considered later in this report.
- 9.14 Policy SP 7 of the emerging Local Plan states that proposals for 11 or more new dwellings should demonstrate how the mix of tenure, type and size of housing proposed on sites will reflect the Council’s latest evidence of housing need and market demand and contribute towards meeting the varied needs of different households. The most up to date evidence is found in the Technical OAN paper (June 2019) which has been produced in connection with the Local Plan examination. This states that the implied size of housing required (2013 – 2032) is as follows:

1 bed	2 bed	3 bed	4+ bed
14%	23%	41%	22%

- 9.15 This paper also sets out that the implied type of housing required (2013 – 2032) is 77% houses and 23% flats.
- 9.16 The application proposes the following dwelling mix, all of which are proposed to be flats:

1 bed	2 bed	3 bed	4+ bed
37.5%	62.5%	0%	0%

- 9.17 The proposal would not therefore meet the requirements of the latest evidence of housing need and market demand. It is noted however that the size of the site will impact upon the type and mix of housing proposed, and therefore it is unlikely to be able to fully meet the latest housing need. The NPPF states that decisions should promote effective use of land in meeting the needs for homes. The benefits associated with the proposed development in respect of the provision of additional housing therefore needs to be balanced against the mix of dwellings proposed.
- 9.18 A comment was made by a third party that the applicant did not submit with the application a clear case addressing the Council’s requirements for a mix of unit types on larger sites. Whilst this is noted, it is considered for the reasons set out above, that subject to a balance of all the considerations relevant to this proposal, there may be justification to allow a departure from policy in this case.
- 9.19 Paragraph 63 of the NPPF states that affordable housing is expected to be met on-site unless off-site provision can be robustly justified and the agreed approach contributes to the objective of creating mixed and balanced communities.
- 9.20 Policy H7 of the adopted District Plan requires that a minimum of 30% subsidised housing should be provided on suitable sites. However, Policy SP 7 of the emerging Local Plan states that 25% of dwellings on development sites in Hatfield should be affordable. The requirement set out in Policy SP 7 is based on up to date evidence. Whilst due to the stage of preparation of the plan limited weight can be given to some of its policies, in this case having regard to the up to date evidence base, and in accordance with the requirement of the NPPF that policies should be informed by local housing need assessment, it is considered that the requirements of Policy SP 7 should be followed in this case, and 25% of dwellings should be affordable.
- 9.21 Furthermore, Policy SP 7 of the emerging Local Plan states that off-site provision will only be supported where it can be robustly justified and would result in at least an equivalent number of new affordable homes. It also states that where otherwise agreed, alternative delivery should be made within the same settlement as the main application site and still contribute to the creation of mixed communities. It is clear from these policies that whilst the preference is for affordable housing to be distributed across sites, exceptions to this are acceptable where it can be robustly justified.
- 9.22 The proposal heard at Development Management Committee in July 2020 involved 20 affordable units, equating to 25%, which Members supported. The amended proposal seeks to combine the affordable housing from One Town Centre and Link Drive to provide all affordable units in Block 1 of One Town Centre rather than being distributed across both sites and across all of the blocks.

- 9.23 In the pre-application, concerns were raised in the provision of all the affordable housing within Block 1 of One Town Centre. However it was concluded that if the Council's Housing Team were in agreement then officers were unlikely to raise any concerns to this aspect of the development.
- 9.24 It is noted that Hatfield Town Council have raised an objection on this matter.
- 9.25 The Council's Housing team will own and manage the affordable housing units. They have expressed a preference for all of the affordable units to be located within a single block. The reasons are for cost effectiveness and ease of maintenance. This is supported by Policy H7, which highlights the importance of ensuring that affordable housing units are of a standard to meet the requirements of their management/operator.
- 9.26 In accordance with Policy SP 7 of the emerging Local Plan, the affordable housing removed from Link Drive will be re-provided within the same settlement, Hatfield and will be very close to the site, as One Town Centre is roughly 150m to the north of Link Drive.
- 9.27 As the sites are so closely located, the amendments to the affordable housing provision will continue to deliver a good mix of market and affordable housing to this part of Hatfield Town Centre. This is supported by the Council's Housing Team who state within their consultation response:
- 'We are satisfied that a mixed community is achieved as the sites are located in close proximity of each other. In regards to Block 2 and Block 3 of 1-9 Town Centre, the units will be sold on the open market and will create a mixed community, with a variety of tenures. Therefore it is argued that the proposals will continue to achieve mixed and balanced communities.'*
- 9.28 Whilst the provision of affordable housing is not distributed across both application sites or distributed throughout the residential blocks the number and housing mix of affordable housing will be provided within Hatfield and to some degree will result in a mixed and balanced community at One Town Centre due to the communal use of outdoor amenity space and car parking provision. Furthermore, the Council's Housing Team have no objection to the relocation of all the affordable housing to One Town Centre and the reasons are considered acceptable. Therefore on balance, taking in consideration the need to provide affordable housing within Hatfield, it is considered that this approach is acceptable in this unique arrangement of having two planning applications located nearby to each other.
- 9.29 It is considered that the affordable housing provision will be dealt with via a Deed of Variation to amend the One Town Centre s106, as well as making amendments to the drafting of the Link Drive s106.
- 9.30 Policy H10 of the adopted District Plan requires that all residential developments involving 5 or more dwellings will be required to provide a proportion of dwellings to be built to lifetime homes standards. Policy SP 7 of the emerging Local Plan requires that at least 20% of all new dwellings on sites involving 5 or more dwellings will be required to meet Building Regulations Part M4(2) standards for 'accessible and adaptable dwellings' (or as subsequently amended), the delivery of which should be distributed across market tenures. To ensure the requirements of these policies are met, it was recommended that a condition was attached to

application heard at Development Management Committee. Under the amended documents, an accessibility assessment has been submitted to remove the need for this condition. However it is considered that this condition should be changed to a verification and compliance condition. Based on the submitted document, the full number of accessible units (16) would be provided on the first floor representing a mix of tenure. Furthermore, two lifts are proposed in the building to allow step free access to the upper floors. These details are considered acceptable.

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

- 9.31 Policies D1 and D2 of the District Plan 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.
- 9.32 The overall siting, scale, and massing is largely consistent with the scheme which has a resolution to grant planning permission subject to completion of the S106. The proposed siting of the building has been moved 0.5 metres to the north of the site to avoid a key piece of infrastructure. The scale and massing of the proposed building is very similar to that previously assessed.
- 9.33 There are a number of elevation changes proposed which have arisen due to changes to the ventilation and energy strategy and also to ensure that non-combustible materials are utilised to meet the latest fire regulations. The key changes are:
- the removal of aluminium cladding and replacement with dark engineering brick,
 - the replacement of glazed balconies with metal balconies;
 - enlargement of windows as acoustic louvres not required;
 - and inclusion of a dismountable balustrade on the roof.
- 9.34 The site, due to its existing use as a surface car park, is currently open in character. The erection of a 6 storey building on the site will therefore result in a significant change to the character and appearance of the site. However, the existing mature landscaping between the northern site boundary and Queensway does, when in leaf, somewhat obscure views into and across the site. Furthermore, the development would be seen against the backdrop of Goldings House which is a substantial structure and a prominent feature within the streetscene and the surrounding area.
- 9.35 The massing and scale of the building has been broken up through the articulation of the elevations, as well as by the use of glazing, different materials and balconies. The proposed external elevations of the building would maintain a brick finish. The appearance and design of the proposed building would represent a modern addition to the town centre, whilst the flat roof would respect the roof form of nearby residential properties and would allow for a blue roof to be provided. The

demountable barrier on the roof will only be utilised for safety purposes to gain access to the roof. Further details of the demountable barrier will be secured by way of condition.

9.36 It is also acknowledged that the height and scale of the development needs to be balanced against the desire to support the regeneration of Hatfield Town Centre and its vitality and viability. New residential development can support the vitality of town centres, but the impact on vitality is dependent on the number of residential properties and the result increase in population. Therefore, to support the vitality of the town centre higher density developments are going to be necessary, and in a site such as this which is constrained by its size, the way to achieve a higher density of development is through an increase in the height of buildings.

9.37 Furthermore, a resolution to grant permission has been given for a mixed use development at 1-9 Town Centre (ref. 6/2019/2430/MAJ) which was between 2 and 6 storeys in height, and permission has been granted for a 5 storey building at nos. 41-43 Town Centre (ref. 6/2019/1665/MAJ). As a result of these developments, the scale and height of development within the town centre is increasing and this in turn will result in a change to the character and appearance of the town centre. Therefore, in combination with these other developments, the height and scale of the development proposed by this current application will not be out of keeping with the character and appearance of the development within the wider town centre.

9.38 Turning now to the impact of the development on heritage assets, whilst there are no heritage assets on or immediately adjacent to the site, the site is within the wider landscape setting of Hatfield House (Grade I), the Old Palace (Grade I), St Etheldreda's Church (Grade I), and Hatfield Park Registered Park and Garden (Grade I). Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that 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.

9.39 The specific historic environment policies within the NPPF are contained within paragraph 189-193. Paragraph 190 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 wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;*
- c) the desirability of new development making a positive contribution to local character and distinctiveness; and*
- d) opportunities to draw on the contribution made by the historic environment to the character of a place.*

9.40 The viewpoints and wireframe diagrams submitted with the application as part of the Heritage, Townscape and Visual Assessment demonstrate that at its highest point the proposed development will be partially visible in longer views from Hatfield House, but such views would be filtered by existing intervening trees and

buildings. Therefore, Place Services have commented that the proposed development will not become a prominent or detracting feature within long views from Hatfield House, Old Palace, St Etheldreda's or Hatfield Park. Whilst the development may be visible in some viewpoints, it will be partially filtered and will become part of the wider landscape setting, which already incorporates views of other buildings. Development here will not be intrusive in views or compromise the settings of the heritage assets, unlike Queensway House and Goldings House (immediately adjacent to the site).

- 9.41 Historic England have also commented on the application and have stated that they have no objections to the application on heritage grounds. Historic England have commented in respect of this application that the proposal is in line with the design parameters established at the development stage of the strategy for the town centre last year, and its potential harm to the key historic environmental assets can be restricted. Furthermore, Gascoyne Estates have not raised any objections to the application.
- 9.42 In regard to the amendments, a Heritage, Townscape and Visual Addendum was produced which sits alongside the Heritage, Townscape and Visual Assessment. Historic England and Place Services have been involved in the pre-application and have been reconsulted. No objections have been raised to the proposed amendments.
- 9.43 A separate pre-application was undertaken in regard to the proposed barrier on the roof for One Town Centre but not for Link Drive. Under the pre-application, this was a permanent feature. Although the principle was considered acceptable by Place Services, this response was caveated subject to further information on the reason for the proposed balustrades and formal consultation from Historic England when the planning application was submitted. The proposed barrier is now shown in the amended plans as demountable however no details have been provided of how it would look like or to how it works. Therefore, it is recommended that a condition is included as part of the approval for any planning application.
- 9.44 It is noted that under the plans and documents for the resolution to grant planning subject to completion of the S106 agreement, the Gardens Trust objected to the application. The Trust consider that the proposed development would completely destroy the legibility of the new town idea and the green areas which are essential in separating areas into discrete spaces.
- 9.45 The concerns of the Gardens Trust were noted, it is considered that the existing use of the site as a surface car park and the scale of the adjacent Goldings House have impacted on what were the original benefits of green areas within the layout of the town. The proposed development would retain the existing adjacent green space, which is allocated in the adopted District Plan as Urban Open Land (Policy OS1), and which also provides a buffer between the application site and the town centre.
- 9.46 In regards to amendments, the Gardens Trust have raised that they have no comments.
- 9.47 A glass acoustic barrier is proposed along the northern, eastern and southern boundary of the skate park, to mitigate the impact of noise from the skate park on the future residents of the development. This barrier is proposed to be approximately 6 metres in height. The proposed barrier will be a somewhat alien

feature within the streetscene. However it is proposed to be glass which will allow views through it, and therefore in longer distance views of the site it is unlikely to be a prominent feature. In closer views, the barrier will be seen against the proposed development and Goldings House beyond, and the visual impact of this element of the proposal does need to be balanced against the benefits associated with the re-development of this site.

3. Residential amenity

- 9.48 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.
- 9.49 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.
- 9.50 The principle of a 6 storey high building in regards to siting, massing, height and fenestration has been established. The number, and layout (including balconies) of flats and layout of car parking has also been established. The amendments in regard to residential amenity relate to the movement of the building 0.5 metres to the north of the site, the increase in the size of windows following the removal of the acoustic louvres and the change of the materials.
- 9.51 The proposed development, due to the existing open use of the site, will result in a change to the outlook experienced by the occupiers of nearby residential properties. However, due to the orientation of many of the existing nearby dwellings (which do not face directly on to the application site), the intervening highway network (which lies between the application site and surrounding dwellings) and existing landscaping, the proposal is unlikely to result in significant harm to the outlook from these existing properties. Furthermore, due to the distance of the existing dwellings from the proposed building (at its closest the proposed building would be approximately 30 metres from the nearest existing residential property), the proposal is unlikely to result in significant harm in terms of loss of light or overbearing impact.
- 9.52 The proposed building does however share a closer relationship with Goldings House to the east of the application site (which at its closest point is approximately 25 metres from the east facing elevation of the proposed building). The application was accompanied by a revised Daylight, Sunlight and Overshadowing Report which considered the impact of the development on surrounding buildings and amenity areas/gardens/open space. The Report concluded that levels of daylight and sunlight for surrounding buildings would not be adversely affected by the proposed development and that the development would not adversely overshadow nearby existing amenity areas/gardens/open spaces. The development was considered to meet relevant BRE criteria.
- 9.53 Under the set of plans heard at committee, following comments made by a third party that the Report did not fully consider the impact of the development on Goldings House, the Report was updated to address these comments. The comments raised were mainly in respect of the impact on windows to communal and circulation areas, and not habitable rooms (which had been predominantly assessed in the Report submitted with the application). The updated Report

concluded that although the level of daylight for some of the windows will be affected by the proposed development, the level of impact will not result in significant harm, and that levels of sunlight will not be adversely affected by the proposed development. Having regard to the conclusions reached in the submitted Daylight, Sunlight and Overshadowing Reports, and that the proposal will meet the relevant BRE criteria, it is considered that the proposed development is unlikely to result in significant harm to the amenity of the occupiers of surrounding residential properties. It is not considered that the amendments to the location of the building would adversely impact on these conclusions.

- 9.54 Turning now to the future occupiers of the proposed development, it is proposed that all residential units will meet the nationally described space standards in terms of the gross internal area of the dwellings. The layout of each flat has been improved through the amendments to the ventilation and energy strategies resulting in increased floor areas. There are also improvements to light levels through the provision of larger windows.
- 9.55 Each flat would have a private external balcony which provides an area of outside space, albeit not considered an amenity space for noise mitigation. There is also amenity space to the south of the skate park and the development is located adjacent to the urban open land to the north and east of the application site. This is therefore considered to comply with the Council's Supplementary Design Guidance and provides future occupiers with external space.
- 9.56 The application site is in close proximity to the local highway network, located between Queensway and Link Drive, and is adjacent to an open air skate park (which is located to the west of the proposed development). The application is accompanied by a revised Noise Assessment due to the key amendments sought to meet current regulations. The key amendments are the change from natural to mechanical ventilation and the need to amend condition 6 as the noise condition cannot met. The revised Noise Assessment provides details of the noise mitigation measures required to ensure satisfactory noise levels for future occupants.
- 9.57 Whilst the Council's Public Health and Protection have not raised any significant concerns with the development in respect of the impact of noise from traffic, the impact of noise from the adjacent skate park has been the subject of much discussion during the consideration of the original application and subsequent pre-application. As well as noise from the skateboarding itself, there is potential for noise from social gatherings associated with the skate park, which could impact future occupants of the proposed development. This type of noise is highly variable and sporadic and as a result future occupiers of the development are likely to be more impacted by it, than compared to the more constant noise from traffic for example. Therefore Public Health and Protection have commented that noise from this source needs to be mitigated against to a higher standard.
- 9.58 It was proposed under the application heard at Development Management Committee in July 2020, that a natural ventilation system would be utilised with an acoustic barrier constructed around the skate park to mitigate the noise from the skate park. The Council's Public Health and Protection team commented that the proposed barrier would mitigate the noise from the skate park such that the noise levels will, on the whole, be below the background noise levels. Condition 6 was added to ensure further details in regard to noise mitigation were submitted and subject to condition, the potential for complaints and a harmful impact on the amenity of future occupiers of the development would be avoided.

- 9.59 In order to meet regulations, a revised Noise Impact Assessment has been prepared. This assessment has been undertaken to measure the noise impacts in light of the design changes, in particular the change from natural to mechanical ventilation and provides details of the noise mitigation measures required to ensure satisfactory noise levels for future occupants.
- 9.60 It was agreed at pre-application stage, with the Council's Public Health and Protection Team, that flexibility in terms of achieving the noise requirement for the balconies could be applied. These external balconies are not considered acceptable to be utilised as outdoor amenity space. It was also agreed that some windows would be fixed shut and some rooms would have the option of mechanical ventilation or the ability to open windows. Furthermore, it was agreed that suitable amenity space for the residents' enjoyment can be accessed within a short walk at St Albans East Recreation Ground. The agent's noise consultant has undertaken acoustic testing which demonstrates that the recreation ground meets the 55dB WHO Community Noise Guideline Level and is therefore acceptable.
- 9.61 The revised noise impact assessment submitted with this application, has identified the assessment of plant and equipment in relation to BS4142. This is supported, however, the proposed noise level targets at the nearest sensitive receptor are not compliant with the required standards that are recommended for all applications. Therefore a condition will need to be added which provides the standards that should be complied with and is considered reasonable.
- 9.62 The agent proposes that no pre-commencement or pre-occupation conditions are included in regard to noise mitigation measures. It is proposed that approved condition 6 becomes a compliance condition only. However, on discussions with the Council's Public Health and Protection Team, it is considered that as a number of measures are required to mitigate the impact of noise to protect future occupiers of the proposed development from noise and disturbance from nearby noise sources that a verification report is submitted to and approved in writing to ensure that all mitigation measures have been implemented. This is considered reasonable.
- 9.63 It should be noted that as the revision number within the revised noise assessment was updated, following a request to update the document after the consultation response was submitted by the Council's Public Health and Protection Team, the revision number has also been updated in the text of the condition to ensure accuracy.
- 9.64 Details of any proposed external lighting has not been provided with the application. Any external lighting proposed/required as part of the development will need to be designed to take into account the ILP guidance in terms of light trespass into windows or sensitive receptors, and vertical lux diagrams will be required to show that any external lighting will not cause an issue. Public Health and Protection have requested that a condition is attached to any permission granted requiring the submission of an external lighting scheme.

4. Highways and parking considerations

- 9.65 The amendments when compared to the resolution to grant planning permission subject to the completion of the S106 agreement in regards to highways and

parking considerations are minor. The amendments involve the slight reconfiguration of the car parking layout to improve access and ease of movement particularly in regard to larger vehicles, the removal of non-policy compliant Child and Parent spaces and the inclusion of Electric Charging Points.

- 9.66 No other amendments affect the highways and parking considerations as the number and mix of residential units, vehicular and pedestrian access, general car parking layout, number of car parking spaces and number of cycle spaces are the same as the resolution to grant plans and documents. The same assessment as per the resolution to grant plans and documents has been included within this committee report.
- 9.67 Following the submission of the amendments, a new objection has been raised to the loss of a cycle route. On review, there is no formal cycle route across Link Drive car park and therefore this informal route cannot be taken into consideration as part of this application.
- 9.68 Objections have also been raised in regard to the number of car parking spaces however these remain the same and the number of Electric Charging Points which are discussed later within the report.
- 9.69 The Highway Authority do not wish to restrict the grant of planning permission. Turning firstly to traffic generation associated with the development and the impact on the local highway network, the submitted Transport Statement states that the proposed development would generate 22 two way vehicle trips in the AM peak and 21 in the PM peak. This compares with traffic generation associated with the existing use of the site as a car park, which results in approximately 78 two way vehicle trips in the AM peak and 170 two way vehicle trips in the PM peak. The Transport Statement outlines that the proposal will significantly reduce the number of two way movements generated when compared to the existing car park use, although it is acknowledged that the traffic movements associated with existing parking at Link Drive, which is being re-provided in the MSCP at The Common, will remain within the wider highway network of the town centre. The Highway Authority have commented that they are satisfied that the vehicle trip rates associated with the proposed residential development will be significantly less than that for the existing car park and therefore highway impacts will be reduced.
- 9.70 The vehicular access to the development would be via the existing vehicular access to the site from Link Drive. The submitted Transport Statement outlines a review of highway accidents (collisions/injury) locally, and there is no indication within the results that the accidents were as a result of any deficiencies with the access to the site. The Highway Authority have confirmed that there is no evidence that the use of the access is inherently unsafe, nor are there any concerns that visibility from the access is obscured.
- 9.71 In terms of parking, paragraph 107 of the NPPF states that if setting local parking standards authorities should take into account the accessibility of the development, the type, mix and use of the development, availability of public transport, local car ownership levels and the need to ensure an adequate provision of charging plug-in and ultra-low emission vehicles. Policy M14 of the District Plan 2005 and the Parking Standards Supplementary Planning Guidance (SPG) use maximum standards and are not consistent with the NPPF and are therefore afforded less weight. In light of the above, the Council have produced an interim Policy for Car Parking Standards that states that parking provision will be

assessed on a case-by-case basis and the existing maximum parking standards within the SPG should be taken as guidance only. This means that higher or lower car parking standards than those set out in the SPG can be proposed and determined on a case-by-case basis taking into account the relevant circumstances of the proposal, its size context and its wider surroundings. Parking standards should only be imposed where there is clear and compelling justification that they are necessary for managing the local road network.

- 9.72 The site is located in Zone 2 as defined in the SPG. The site is in an accessible location to services and facilities, with good access to public transport provision and the pedestrian and cycle network. For the residential element of the proposed development the SPG advises maximum parking requirements in zones 1 and 2 of 0.75 spaces per 1 bedroom dwelling and 1 space per 2 bedroom dwelling, which would equate to a total of 72.5 spaces. The application proposes a total of 74 parking spaces, and therefore the number of parking spaces proposed for the development would meet and exceed the parking requirements set out in the SPD.
- 9.73 The application proposes a total of 80 cycle parking spaces. In accordance with the adopted standards, 1 cycle space should be provided for each residential unit in a secure location, which would be conditioned. The application therefore accords with the requirement in this respect.
- 9.74 The proposed development will improve pedestrian linkages to the south east of the site, enabling movement in the direction of the train station, through the provision of the footpath along the southern boundary of the site which will connect into an existing footway to the south of Goldings House.
- 9.75 Under the plans and documents submitted under the resolution to grant planning permission subject to completion of a S106, concern was expressed by County Highways and the Ramblers Association that hard landscaping works associated with the proposed development will impact on the public right of way (134) to the north of the application site. The applicant has indicated that they wish to make improvements to the pavement in this location to improve pedestrian access to the new pedestrian route through the development and to better integrate the development to the park to the north and the footpath network. It is proposed that the footpath is widened and a change is made to the pavement material. To enable these works to take place, a small part of the footpath would need to be temporarily closed, but it would not require the permanent diversion of the right of way.
- 9.76 If the applicant wished to implement this element of the proposal, as the proposed works would affect a public right of way they would require permission to make any alterations to it and to close it temporarily whilst the works were undertaken. This is a matter for the applicant to discuss and agree with Herts County Council. The Highway Authority have however recommended that any permission granted is subject to a condition which requires the submission of a revised landscaping scheme to ensure that the development does not interfere with the public right of way. It is considered that such a condition will enable discussions to be had with Herts County Council about the acceptability of the proposed alterations, whether a temporary closure of the footpath to allow such works to be implemented would be acceptable and to find a mutually acceptable solution. Therefore, it is considered that such a condition is reasonable and necessary in this case. If however the proposed improvement works to the footpath were not permitted by

Herts County Council, this would not affect pedestrian access to and from the application site, as the footpath would remain in its existing condition.

9.77 No consultation response has been received by the Council's Parking Services. However within the Design and Access Statement, it states that a car parking management scheme would be undertaken by them. There are no further details provided. As this site is within walking distance of Hatfield Town Centre, does not have a barrier and has a finite number of car parking spaces it is considered appropriate for a condition to be included to ensure that a car parking management scheme is sought to protect car parking spaces for future residents.

5. Other considerations

i) Flood risk and sustainable drainage

9.78 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.

9.79 Policy R10 of the adopted District Plan requires new development to incorporate water conservation measures wherever applicable, and para. 165 of the NPPF states that major development should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The Lead Local Flood Authority initially objected to the application, but following the submission of additional information (clarification on the proposed drainage strategy, an assessment of the SuDS management and treatment train, updated modelling in relation to surface water for all rainfall events, an updated drainage plan, evidence that the applicant is proposing to discharge to the local sewer network and clarification about drainage on the access road), they have now removed their objection.

9.80 The proposed drainage strategy (which includes blue roofs, a permeable paved parking area and cellular tanked sub-base) is now considered to be acceptable subject to conditions requiring the development to be undertaken in accordance with the principles of the submitted drainage strategy and the submission of a detailed surface water drainage scheme.

9.81 Under the amended plans and documentation, the building will move 0.5 metres to the north of the application site to avoid the easement of the main drain. No documents or plans in regard to flood risk have been amended, and it has checked that apart from the movement of the building, the agreed documents heard at Development Management Committee remain the same. This has been agreed by email. These documents are also conditioned.

9.82 The agent proposed that the approved condition 5 be amended from No development shall take place until a detailed..." to "Prior to any below ground works a detailed..." and has confirmed that this was agreed by the Lead Local Flood Authority. Clarification has been sought from the agent as the Lead Local Authority has not agreed this rewording of the condition through the consultation response. No evidence has been provided and therefore the approved wording of the condition has been kept in line with the conditions included within the

consultation response from the Lead Local Flood Authority. Such conditions are considered to be reasonable and necessary in this case.

ii) Energy Efficiency

9.83 Policy R3 of the District Plan expects all development to include measures to maximise energy conservation through the design of buildings, site layout and provision of landscaping.

9.84 Amendments to the energy strategy are proposed as a result of updates to Approved Documents F and L and the Government's emerging Future Homes standard which will require a ban on fossil fuels in new homes by 2025. The previous energy strategy for the scheme (September 2019) proposed a communal gas heating and hot water system. However, given the emerging Future Homes guidance we are increasingly looking towards strategies that have a greater reliance on electricity from clean generating sources unlike the gas based communal heating proposed.

9.85 As communal systems rely on roof mounted plant, these systems would not be appropriate as height and roof appearance have been sensitive planning considerations on heritage during the determination of the planning application. Therefore, individual air source heat pumps (ASHP) located within flats are a means of achieving this aim whilst ensuring no rooftop plant is required.

9.86 It is therefore considered that the proposal would, as best it can, accord with Policy R3 of the adopted District Plan.

iii) Landscaping

9.87 Policy R17 of the District Plan 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.

9.88 In order to allow for the construction of the proposed development, it is necessary to remove all but one of the existing trees within the application site. The submitted Arboricultural Report indicates however that the trees to be removed are low and poor quality with evident symptoms of physiological decline that have a very limited useful life expectancy regardless of the proposed development implications. It is therefore considered that the removal of these trees is arboriculturally justified and the Council's Landscape Officer has confirmed that there is no objection to the proposed tree removals. Some pruning of existing trees which overhang the application is also proposed, and again the Council's Landscape Officer has no objection to the proposed works to facilitate the development.

9.89 An amended Landscape Masterplan and Landscape Addendum has been submitted with the application. (It is noted that a Tree Protection Plan and levels plans although referenced has not been resubmitted). The amended documentation indicates that 13 trees are proposed (as previously approved by committee) to be planted within the application site as part of the development of the site, and these trees are considered to be sufficient to mitigate the loss of the

existing trees on the site. Other small amendments include the loss of two small planting areas, and the relocation of trees.

9.90 Following objection from Hatfield Town Council, the Council's Landscape Officer has confirmed that the Wollemi pine is a significant distance away from the site and should not be affected by the development.

9.91 Limited details have been provided of the hard landscaping and boundary treatments including the fire escape including its maintenance. Therefore these have been included within a landscape condition.

9.92 To ensure that all required details in relation to the proposed tree planting and the wider landscaping of the site is provided, the Landscape Officer has also recommended that if planning permission is granted it should be subject to a condition which requires a tree protection plan, the demolition phase plan referred to within the revised arboricultural report, but is missing and planting details to be provided. Such a condition is considered to be reasonable and necessary in this case.

iv) Contaminated Land

9.93 Policy R2 of the adopted District Plan 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.

9.94 The Council's Public Health and Protection team under the application heard at Development Management Committee in July 2020 considered the information submitted with the application which states that the review of environmental testing and risk assessment identified no soil contamination which warrants remediation. They recommended that ground gas protection measures were needed and should be designed to align with existing proposed undercroft parking. Barrier drinking water pipes and a nominal 100mm clean soil capping for soft landscaping were also recommended. Public Health and Protection commented that they would want to see additional detail in terms of ground gas protection measures and also verification information relating to soils being brought onto the site. They therefore recommend that any permission granted is subject to the standard contaminated land condition.

9.95 In the revised consultation response, the Council's Public Health and Protection Team have confirmed that contamination has been discussed through the pre-application process. The site has been deemed suitable for development. The condition has been updated to an 'unexpected finds' condition if the application is approved in the event that contamination is identified during the construction process.

v) Archaeology

9.96 Policy R29 of the adopted District Plan 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.

9.97 The Historic Environment Advisor commented that historically the application site has been comparatively undeveloped compared to the immediate surrounding area, and excavations at Southfield School, which is to the south of the application site, found evidence of archaeological remains. Furthermore the site is in a relatively prominent position topographically and on gravel, a geology favoured for prehistoric and/or Roman settlements. The Historic Environment Advisor commented that the position of the proposed development is such that it should be regarded as likely to have an impact on heritage assets with archaeological interest and recommends that any permission granted is subject to a condition requiring archaeological investigations to be undertaken. Such a condition is considered to be reasonable and necessary in this case.

vi) Refuse facilities

9.98 Following amendments to the size and number of bin stores, Client Services have confirmed that the proposed bin stores are sufficient to provide for the required number and size of bins. Access to the proposed bin stores is also considered to be acceptable, and County Highways have confirmed that access to the site for refuse vehicles is acceptable. Conditions have been added to ensure that the refuse facilities are implemented to ensure adequate security, access and provision.

vii) Electric car charging points

9.99 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 a new neighbourhood centre and the necessary infrastructure provided for major residential schemes.

9.100 Furthermore, the Highway Authority have commented that the provision of electric vehicle charging provision should be considered in order to future proof the development and promote low emission car ownership.

9.101 Under the committee report in July 2020 that had a resolution to grant planning permission subject to a S106 agreement, it was recommended that a condition be included that required details of electric charging points.

9.102 Under the amended plans and documents, two active electric vehicle charging points are demonstrated to remove this condition. Objections were raised by Hatfield Town Council, a local resident and the Local Planning Authority, to the number of electric vehicle charging points and the consideration that the electric charging points were located within allocated car parking spaces.

9.103 Following discussions with the agent and the knowledge that there is no quantum of electric vehicle charging points detailed within either the adopted District Plan or emerging Local Plan it has been agreed that 18 vehicle charging points will be provided. These will be divided into two active and 16 passive points to enable future additional provision. It is therefore recommended that any permission granted should be subject to a condition requiring details identifying the location of 18 electric car charging points within the development.

viii) Fire safety

9.104 The agent has made a number of key amendments which include changes to the external materials and an additional fire escape from the external car park in light of changes to fire regulations. It is agreed that an additional fire hydrant would be provided. The Health and Safety Team, Hertfordshire Fire and Rescue and Hertfordshire Building Control have been consulted and raise no objection to the amendments.

ix) Other matters

9.105 Policy D7 of the adopted District Plan 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.

9.106 Policy 12 of the Hertfordshire County Council Waste Core Strategy and Development Management Policies Development Plan Document 2012 (Waste Local Plan) requires the submission of a Site Waste Management Plan (SWMP) to assist in reducing the amount of waste produced on site. Having regard to the requirements of Policy 12 of the Waste Local Plan a SWMP should be required as a condition of any permission granted, and such a condition is reasonable and necessary in this case.

9.107 The Spatial Planning Team, HCC have commented that the site could be underlain with sand and gravel deposits and they would therefore like to encourage the opportunistic use of these deposits should they be found in the construction of the development. It is therefore recommended that an informative is attached to any permission granted to remind the applicant of this.

9.108 It is noted that on some documentation that references have not been updated such as the proposed site plan which relates to the original landscaping plans and the Design and Access Statement. Other information has not been submitted such as the Tree Protection Plan. As this information has not been submitted, it is considered reasonable to request it by way of condition.

6. Environmental Impact Assessment

9.109 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. Planning obligations

9.110 The NPPF sets out that Local Planning Authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be sought

where they meet all of the following tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended):

- Necessary to make the development acceptable in planning terms
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development.

9.111 The Council has not adopted a Community Infrastructure Levy and therefore where a planning obligation is proposed for a development, The Community Infrastructure Levy Regulations 2010, which came into effect from 6 April 2010, has introduced regulation 122 which provides limitations on the use of planning obligations.

9.112 The application heard at Development Management Committee in July 2020 included both affordable housing of 20 units and S106 contributions. The amended scheme seeks to move the affordable housing units to One Town Centre. As discussed above this is considered acceptable.

9.113 As part of the revised wording of the S106, both planning applications for Link Drive and One Town Centre will be linked to ensure that the full provision of affordable housing is delivered.

9.114 The movement of all the affordable housing from this site results in an uplift on the HCC contributions. This is detailed below.

9.115 Below are the S106 heads of terms sought by the Council and other relevant bodies. The applicant has been made aware of required contributions.

Contributions/Matter	Contribution
Affordable Housing	20 units moved to One Town Centre.
Open space/Green space	£8,137.40
Play space	£21,344.00
Waste and recycling	£6,976.00
Indoor and outdoor sports facilities	£5,098 Artificial Grass pitch £3,179 Indoor/Outdoor Bowls £25,778 Sports Hall £26,847 Swimming Pool
Primary Education	£58,730.00
Secondary Education	£48,140.00
Youth Service	£980.00
Library Service	£10,290.00
Highways	£36,250.00
Travel Plan	Submission of Travel Plan document
Green Travel Plan Evaluation and Monitoring fee	£6,000
GP Provision	£56,624.00
Mental health	£15,557.00
Community Healthcare	£14,562.00
Fire Hydrants	
Monitoring fee	£5,000

- 9.116 These requested contributions are considered to be reasonable and pass the necessary Community Infrastructure Levy 122 tests as the works are considered necessary to make the development acceptable, directly related to the development and fairly and reasonably related in scale and kind to the development.
- 9.117 Hatfield Town Council have raised objection that there is a need for suitable protection and repair of the skate park. As this contribution has not been requested under the application heard at Development Management Committee previously in July 2020, it would be unreasonable to request this contribution now.
- 9.118 The NHS did also request a contribution of £177,157 towards acute healthcare costs (refurbishment of wards and update of communal areas at Lister Hospital). However it was considered that the requested contributions and works would not meet the test identified above, and therefore this contribution cannot be included in the S106 agreement.
- 9.119 If the Development Management Committee resolve to grant planning permission subject of the completion of the Section 106 Agreement, a S106 agreement will be completed in accordance with the specified heads of terms. Subject to the completion of a Section 106 Agreement, it is considered that the proposal would comply with Policy IM2; the Planning Obligations SPD; the NPPF and CIL Regulations 2010 (as amended).

8. The planning balancing

- 9.120 Whilst there is no objection in principle to development on this site, it is acknowledged that some aspects of the proposal are not fully compliant with the relevant policies of the adopted District Plan i.e. dwelling mix. Furthermore it is acknowledged that the scale and height of the development will result in a significant change to the character and appearance of the site and its surroundings.
- 9.121 However, these matters must be balanced against the benefits of the proposed development. The Council's position in respect of housing land supply is acknowledged, and the proposed development will result in the construction of much needed housing, and in a location close to Hatfield town centre. Due to this proximity, the proposed development would also result in benefits to the vitality and viability of the Hatfield town centre, through increased footfall and activity, assisting in the Borough Council's desire to regenerate the town centre.
- 9.122 Para. 11(d) of the NPPF states that where the policies which are most important for determining the application are out-of-date permission should be granted unless any adverse impacts of doing so would significant and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole. Taking into account all of the considerations relevant to the determination of this application, it is considered that the identified adverse impacts of the proposal would not significantly and demonstrably outweigh the benefits.

10 Conclusion

10.1 There is no objection in principle to development on this site, and the proposal would provide much needed housing and assist in the regeneration of the town centre.

10.2 Subject to conditions and a planning obligation the proposal would have no significant adverse impact upon designated heritage assets, residential amenity, highways, flood risk and sustainable drainage and other relevant matters. Some conflict with the development plan has been identified in respect of dwelling mix and in terms of the visual impact on the development, but for the reasons set out above it is considered that these conflicts are 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 completion of a satisfactory S106 planning agreement and the agreement of any necessary extensions to the statutory determination period to complete this agreement for:

1.	Affordable Housing	Moved to One Town Centre
2.	Open space/Green space	£8,137.40
3.	Play space	£21,344.00
4.	Waste and recycling	£6,976.00
5.	Indoor and outdoor sports facilities	£5,098 Artificial Grass pitch £3,179 Indoor/Outdoor Bowls £25,778 Sports Hall £26,847 Swimming Pool
6.	Primary Education	£58,730.00
7.	Secondary Education	£48,140.00
8.	Youth Service	£980.00
9.	Library Service	£10,290.00
10.	Highways	£36,250.00
11.	Travel Plan	Submission of Travel Plan document
12.	Green Travel Plan Evaluation and Monitoring fee	£6,000
13.	GP Provision	£56,624.00
14.	Mental health	£15,557.00
15.	Community Healthcare	£14,562.00
16.	Fire Hydrants	
17.	Monitoring fee	£5,000

and the following conditions:

PRE-COMMENCEMENT CONDITIONS

1. Prior to commencement of the development hereby permitted a Construction Management Plan (or Construction Method Statement) shall be 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 Management Plan / Statement shall include details of:

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

REASON: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018), Policy D1 of the Welwyn Hatfield District Plan and the National Planning Policy Framework.

2. A. No 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.

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

C. 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 (A) and the provision made for analysis and publication where appropriate.

REASON: To secure the protection of and proper provision for any archaeological remains in accordance with Policy R29 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. 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.

The scheme shall include:

1. Final detailed engineered drawings and drainage plan of the proposed SuDS features including their, location, size, volume, depth, 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. Silt traps for protection for any residual tanked elements.
3. Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.

The development shall then be completed and managed in accordance with the agreed details.

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

PRIOR TO ABOVE GROUND DEVELOPMENT

5. Prior to any above ground development, details identifying the location of 18 electric car charging points shall be submitted to and approved in writing by the Local Planning Authority. The electric car charging points shall be installed as approved prior to first occupation of the development and thereafter retained as part of the development.

REASON: To ensure that sufficient provision is made for the charging of electric cars, in accordance with Policy SADM 12 of the Draft Local Plan Proposed Submission August 2012.

6. No development above ground level in any phase of the development shall take place until full details on a suitably scaled plan of soft landscape works have been submitted to and approved in writing by the Local Planning

Authority. The development shall not be carried out other than in accordance with the approved details.

The landscaping details to be submitted shall include:

- (a) original levels and proposed finished levels [earthworks to be carried out]
- (b) means of enclosure and boundary treatments including details of the fire escape (including management and maintenance details)
- (c) A method statement showing tree protection measures to be implemented for the duration of the construction
- (d) planting plans, including specifications of species, sizes, planting centres, number and percentage mix, and details of seeding or turfing
- (e) management and maintenance details.

Thereafter the development shall accord with the approved details.

REASON: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted in accordance with Policies D1, D2 and D8 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

7. Prior to commencement of above ground works full details of the demountable barrier on the roof, including an elevation of the barrier in situ, and details of how it is to be utilised 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.

8. Prior to commencement of above ground works, details of the external materials of construction of the development hereby approved, including details of windows, doors and balconies, 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 OCCUPATION

9. Prior to first occupation, all accessibility units specified as M4(2) in the agreed schedule and plans within the accessibility housing document shall be implemented in accordance with that approval and in compliance with the corresponding part of the Building Regulations in that regard.

Written verification of implementation of accessibility housing units will be supplied to the local planning authority within 30 days of the practical completion of the block it forms part of.

REASON: To ensure that suitable housing is provided to households in need of accessible or wheelchair housing in accordance with Policies D1 and H10 of the Welwyn Hatfield District Plan 2005.

10. The development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment and Surface Water Drainage Strategy prepared by Conisbee, reference 190223/S Manoli, version 2, dated September 2019, the latest Drainage Strategy drawing number 190223-CON-X-00-DR-C-1000, revision P5 dated Jul 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 2.4 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 239.5 m³ (or such storage volume agreed with the LLFA) of total storage volume in blue roofs, permeable paving and attenuation tanks.

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 occupants, in accordance with Policy R7 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

11. Prior to the first occupation of the development hereby permitted the proposed on-site car and cycle parking areas shall be laid out, demarcated including relevant signage, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

REASON: To ensure the permanent availability of the parking/manoeuvring area, in the interests of highway safety in accordance with Policy D1 of the Welwyn Hatfield District Plan and the National Planning Policy Framework.

12. Prior to the first occupation of the development hereby approved, waste bins/bin storage facilities shall be provided as shown on the approved application plans, including the provision of a smooth floor surface and a coded lock on the doors of the storage facility. Each bin store should have double doors (which open outwards) and a minimum 2 metre width path for the bins to be wheeled to the freighter. Crash barrier fencing should also be provided either side of the 2 metre width paths and these should be marked as 'clearway'. Thereafter retained in accordance with the approved details.

REASON: To ensure that each block is adequately serviced and the area does not suffer any detriment from the storage arrangements for waste and to achieve a high standard of development in accordance with the requirements of Policies D1 and D2 of the Welwyn Hatfield District Plan 2005.

13. Prior to the first occupation of the development hereby approved and notwithstanding the details submitted with the application, hard landscaping details shall be submitted to and approved in writing by the Local Authority and shall include details to demonstrate that the development retains existing public footways and rights of way alongside the site. Thereafter the development shall be implemented in accordance with the approved details.

REASON: To protect pedestrian routes and Rights of Way network abutting the site in accordance with the Hertfordshire County Council Local Transport Plan 4 Policies 1 and 5 and Policy D1 of the Welwyn Hatfield District Plan 2005.

14. Prior to first occupation of the development hereby approved, secure cycle parking shall be provided in accordance with the submitted application plans, and thereafter retained in accordance with the approved plans.

REASON: To ensure the provision of secure long term cycle storage for each residential unit, in accordance with Policy M6 of the Welwyn Hatfield District Plan 2005.

15. Prior to the first occupation of the development, a verification report must be submitted and approved in writing by the Local Planning Authority. The report must provide evidence of the following:

- Confirmation that the installed glazing meets the required attenuation performance as specified in the noise report by (Ref: MLM Consulting Engineers Ltd SL/103145/SL Revision 04) table 9 page 19.
- Confirmation that the acoustic screen around the skatepark has been installed as per the noise report by (Ref: MLM Consulting Engineers Ltd SL/103145/SL Revision 04) – section 7.4 figure 6 page 20.
- Confirmation that the windows serving the development on the façade closest to and directly facing the skate park are sealed shut and non-openable. In addition, confirmation must be provided that all other doors (serving the balconies) and windows (serving the bedrooms) remain openable.
- Provide details of the mechanical ventilation systems that have been installed in all habitable rooms (living rooms and bedrooms), provide confirmation that the units meet the ventilation rates required as stated in the TM59 overheating assessment.

REASON: To protect the occupants of nearby residential properties from noise disturbance in accordance with the requirements of Policies D1 and R19 of the Welwyn Hatfield District Plan 2005.

16. Prior to first occupation of the development, the applicant shall submit to, for approval in writing by the Local Planning Authority, details relating to a scheme to mitigate the noise from new plant and equipment. The impact of

new plant and equipment should be assessed in accordance with BS4142:2014. When noise sources show signs of tonality we require noise levels to be 10dB below background noise level at the nearest receptor location. In instances where the noise source presents no tonality we require the noise level to be 5dB below the background noise level at the nearest receptor location.

REASON: To protect the occupants of nearby residential properties from noise disturbance in accordance with the requirements of Policies D1 and R19 of the Welwyn Hatfield District Plan 2005.

17. Prior to the first occupation of the development hereby permitted, full details of a car parking management plan shall be submitted to and approved in writing by the Local Planning Authority. The approved plan shall then be implemented and maintained on site.

REASON: To ensure the permanent availability of the parking/manoeuvring area, in the interests of highway safety in accordance with the National Planning Policy Framework and Policies M14 and D1 of the Welwyn Hatfield District Plan 2005.

18. All hard and soft landscaping works 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 D1, D2 and D8 of the Welwyn Hatfield District Plan 2005.

OTHER

19. 1. 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 immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 2, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 2, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 2. Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

2. Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a

scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

i) A preliminary risk assessment which has identified: • all previous uses • potential contaminants associated with those uses • a conceptual model of the site indicating sources, pathways and receptors • potentially unacceptable risks arising from contamination at the site.

ii) A site investigation scheme, based on (i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. This should include an assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, pests, woodland and service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments.

iii) The site investigation results and the detailed risk assessment (ii) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

iv) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (iii) are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

3. Following completion of measures identified in the approved remediation scheme and prior to the first use or occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the Local Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. The above must be undertaken in accordance with the Environment Agency's 'Land contamination risk management (LCRM)' guidance, available online at <https://www.gov.uk/government/publications/land-contamination-risk-managementlcrm>.

20. Prior to the installation of any external lighting, a scheme of external lighting installations (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. This scheme must meet the requirements within the Institution of Lighting Professionals guidance notes for the reduction of obtrusive lighting. Thereafter the development shall accord with the approved details.

REASON: To protect the amenity of residential occupiers in the near vicinity of the development in accordance with the objectives of Policies D1, D2 and R20 of the Welwyn Hatfield District Plan.

21. The development hereby approved shall accord with submitted Arboricultural Impact Assessment Report (November 2020), contained within the report, unless otherwise agreed in writing by the Local Planning Authority.

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

22. The development hereby approved shall accord with the details within the submitted Energy Statement (November 2021), unless otherwise agreed in writing by the Local Planning Authority.

REASON: In order to ensure a high level of sustainable performance within the buildings and development hereby permitted and in accordance with Policy SD1 of the Welwyn Hatfield District Plan.

DRAWING NUMBERS

23. 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
M9731-HUN-A-03-0003		Existing (Streetscene) Elevation 1 & 2	1 October 2019
M9731-HUN-A-03-0004		Existing (Streetscene) Elevation 3 & 4	1 October 2019
190223-CON-X-00-DR-C-1000	P5	Drainage Strategy	27 April 2020
M9731-HUN-A-01-0002	P	Skate Park Elevations and Site Plan	29 June 2020
M9731-HUN-A-03-0001	P2	Existing Site Location Plan	29 June 2020
M9731-HUN-A-03-	P2	Existing Site Plan	29 June 2020

0002

LOV23026-10A		Landscape Masterplan	12 October 2021
L486330-HUN-XX-03-GA-A-05-0004	P05	General Arrangement – Third	12 October 2021
L486330-HUN-XX-04-GA-A-05-0005	P04	General Arrangement – Fourth	12 October 2021
L486330-HUN-XX-05-GA-A-05-0006	P04	General Arrangement – Fifth	12 October 2021
L486330-HUN-XX-GF-GA-A-05-0001	P06	General Arrangement - Ground Floor	12 October 2021
L486330-HUN-XX-RL-GA-A-05-0007	P05	General Arrangement – Roof	12 October 2021
L486330-HUN-00-00-GA-A-03-0004	P01	Site Location Plan Proposed	12 October 2021
L486330-HUN-XX-00-GA-A-03-0001	P06	Site Plan	12 October 2021
L486330-HUN-XX-01-GA-A-05-0002	P05	General Arrangement – First	12 October 2021
L486330-HUN-XX-02-GA-A-05-0003	P05	General Arrangement – Second	12 October 2021
L486330-HUN-XX-EL-EL-A-07-0001	P03	Elevations Sheet 1	22 October 2021

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

INFORMATIVES

1. Cadent have identified operational gas apparatus within the application site boundary. This may include a legal interest (easements or wayleaves) in the land which restricts activity in proximity to Cadent assets in private land. The Applicant must ensure that proposed works do not infringe on Cadent's legal rights and any details of such restrictions should be obtained from the landowner in the first instance.

If buildings or structures are proposed directly above the gas apparatus then development should only take place following a diversion of this apparatus. The Applicant should contact Cadent's Plant Protection Team at the earliest opportunity to discuss proposed diversions of apparatus to avoid any unnecessary delays.

If any construction traffic is likely to cross a Cadent pipeline then the Applicant must contact Cadent's Plant Protection Team to see if any protection measures are required.

All developers are required to contact Cadent's Plant Protection Team for approval before carrying out any works on site and ensuring requirements are adhered to.

Email: plantprotection@cadentgas.com Tel: 0800 688 588

Updated text from Cadent Gas The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist. The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/diversions Prior to carrying out works, including the construction of access points, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to

2. 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.

All plant and machinery in use shall be properly silenced and maintained in accordance with the manufacturers' instructions.

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.

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.

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.

All pile driving shall be carried out by a recognised noise reducing system.

Where practical, rotary drills and bursters, actuated by hydraulic or electric power shall be used for excavating hard material.

In general, equipment for breaking concrete and the like, shall be hydraulically actuated.

'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.

Any emergency deviation from these conditions shall be notified to the Council without delay.

Any planned deviations from these conditions for special technical reasons, shall be negotiated with Council at least 14 days prior to the commencement of the specific work.

Permissible noise levels are not specified at this stage.

3. All efforts shall be made to reduce dust generation to a minimum. 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. Water sprays shall be used, as and when necessary, to reduce dust from particularly "dusty" activities or stock piles.
4. The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highwaysroads-and-pavements.aspx> by telephoning 0300 1234047.
5. It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highwaysroads-and-pavements.aspx> or by telephoning 0300 1234047.

6. It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.
7. The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-developmentmanagement.aspx> or by telephoning 0300 1234047.
8. The applicant is advised that all routes associated with this development will remain unadopted and the developer should put in place a permanent arrangement for long term maintenance. At the entrance of the new estate the road name plate should indicate that it is a private road to inform purchasers of their future maintenance liabilities. Further information is available via the website: www.hertfordshire.gov.uk/services/transtreets/highways/ or by telephoning 0300 1234047. Comments: Development proposals represent the redevelopment of land presently providing public
9. The proposed development is located within 15 metres of Thames Waters underground assets and as such, the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB
10. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Further information can be found on Thames Water's website using the following link: <https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services>

11. The construction works and operation of the proposed development site should be done in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the groundwater pollution risk.
12. Any works involving excavations below the chalk groundwater table (for example, piling or the implementation of a geothermal open/closed loop system) should be avoided. If these are necessary, a ground investigation should first be carried out to identify appropriate techniques and to avoid displacing any shallow contamination to a greater depth, which could impact the chalk aquifer.
13. Excavations or piling activities are likely to generate turbidity in the chalk aquifer, especially if the activity is carried out below the groundwater table. This could travel to the Hatfield abstraction point and cause disruption to the scavenging process. The developer should therefore contact Affinity Water at least 15 days in advance of any excavation or piling activities.
14. Surface water should not be disposed of via direct infiltration into the ground via a soakaway. This is due to the potential presence of contaminated land and the risk for contaminants to remobilise and cause groundwater pollution. The additional risk here is the potential mobilisation of the bromate plume which could result in minimising the effect of the scavenging process and putting at risk downstream public water supply sources.
15. Surface water from the car park area is likely to carry on oil and hydrocarbons. It is therefore recommended that the onsite drainage system should incorporate an oil/water interceptor which acts to prevent petrol/oil being discharged into the surface and groundwater network.
16. There are potentially water mains running through / near to part of proposed development site. The developer should contact Affinity Water's Developer Services Team to discuss asset protection or diversionary measures. This can be done through the My Developments Portal (<https://affinitywater.custhelp.com/>) or aw_developerservices@custhelp.com.
17. In this location Affinity Water will supply drinking water to the development. To apply for a new or upgraded connection, please contact the Developer Services Team by going through their My Developments Portal (<https://affinitywater.custhelp.com/>) or aw_developerservices@custhelp.com. The Team also handle C3 and C4 requests to cost potential water mains diversions. If a water mains plan is required, this can also be obtained by emailing maps@affinitywater.co.uk. Please note that charges may apply.
18. Being within a water stressed area, the Developer is encouraged to consider the wider water environment by incorporating water efficient features such as rainwater harvesting, rainwater storage tanks, water butts and green roofs (as appropriate) within each dwelling/building.
19. The planning authority has determined the application as 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.

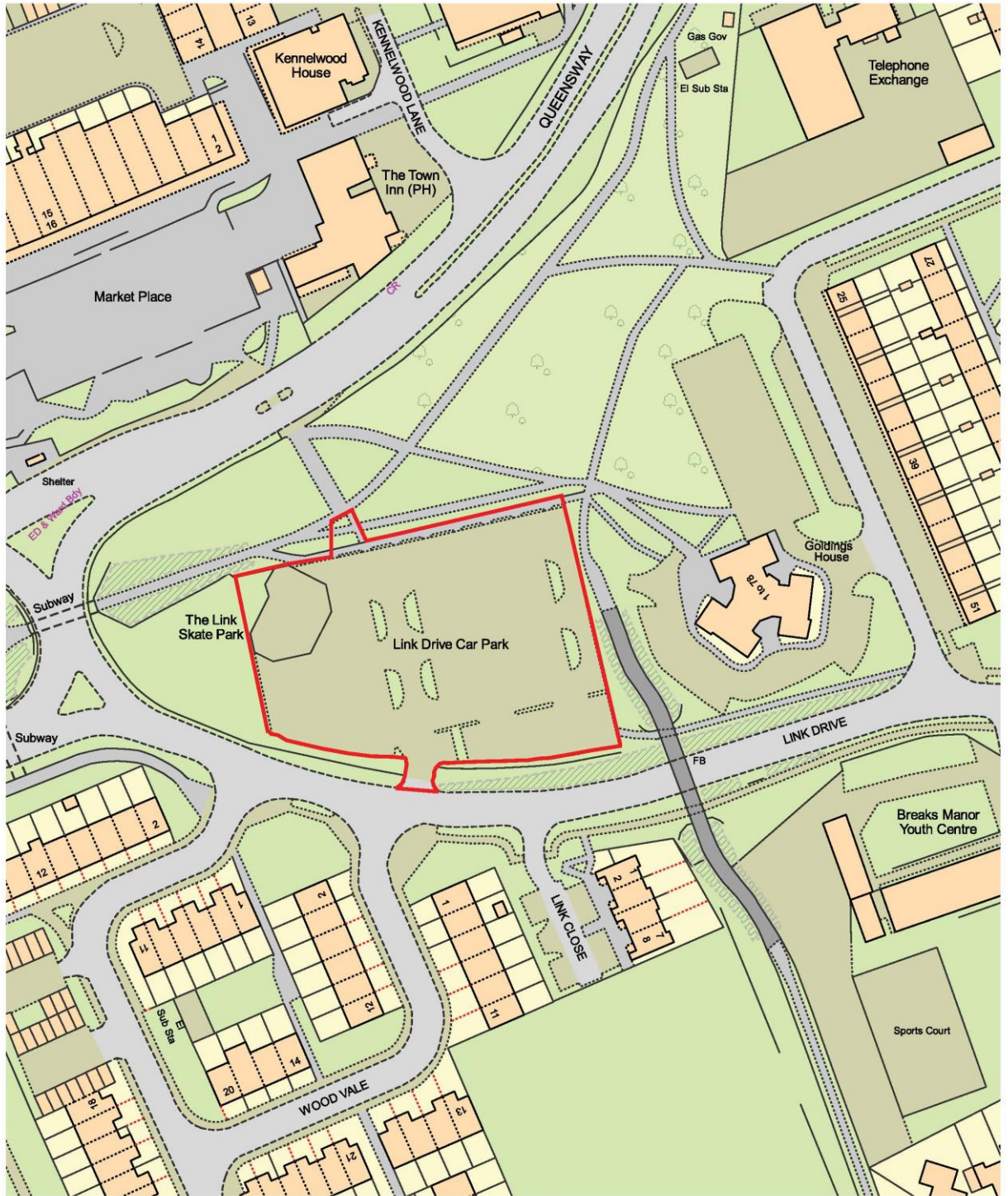
20. According to British Geological Data the proposed development site could be underlain with sand and gravel deposits. The county council, as the Minerals Planning Authority, would like to encourage the opportunistic use of these deposits (if they are of suitable quality), should they be found in construction 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.

Louise Sahlke (Development Management)

Date: 30 December 2021



 <p>WELWYN HATFIELD</p> <p>Council Offices, The Campus Welwyn Garden City, Herts, AL8 6AE</p>	LINK DRIVE CAR PARK, LINK DRIVE, HATFIELD, AL10 8TY		Scale: DNS
			Date: 06-01-2022
	Development Management Committee	6/2019/2431/MAJ	Drawn: C Gooding-Williams
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