

Part I

Executive Member: Councillor S Boulton

WELWYN HATFIELD BOROUGH COUNCIL  
DEVELOPMENT MANAGEMENT COMMITTEE – 28 MARCH 2019  
REPORT OF THE CORPORATE DIRECTOR (PUBLIC PROTECTION, PLANNING  
AND GOVERNANCE)

6/2018/2863/FULL

36 THE RIDGEWAY, CUFFLEY, HERTFORDSHIRE EN6 4AX

ERECTION OF SIX RESIDENTIAL UNITS FOLLOWING THE DEMOLITION OF THE  
EXISTING DWELLING, SUPPORTING STRUCTURES AND ASSOCIATED  
ANCILLARY BUILDINGS

APPLICANT: CUFFLEY PROPERTY DEVELOPMENTS LTD

(Northaw and Cuffley)

**1 Site Description**

- 1.1 The application site comprises a detached dwelling in a large, wide and deep plot on the northern side of The Ridgeway. The dwellings along The Ridgeway are large and generally well set back from the road in spacious deep plots and in this case, the site extends back as far as the dwellings along Bradgate Close and Coulter Close, roads of a denser, more urban character than The Ridgeway.
- 1.2 The site slopes down from front to rear by 8.65m and is currently well treed and landscaped. It is partly within the Northaw Great Wood Landscape Character Area and very close to wildlife site 162 to the west. Parts of the site also border the Green Belt to the west and south. The site is within the boundaries of the built up area of Cuffley and is not in the Green Belt.
- 1.3 Whereas the top half of the site is well maintained as a garden to the property, the bottom half is more overgrown. The dwelling at 11 Bradgate Close immediately abuts the bottom half of the site – the flank elevation of this dwelling forms the boundary between the properties. Bradgate Close has a turning head adjacent to the boundary with the application site.

**2 The Proposal**

- 2.1 Planning permission is sought for the erection of six 5 bed dwellings following the demolition of the existing dwelling, supporting structures and associated ancillary structures. The dwellings would be sited in an approximate line south-west to north-east, running back from the road. They would be served by an access road that would largely follow the north- western boundary of the site and would end in a turning head adjacent to the rearmost dwelling.
- 2.2 The dwellings would be aligned in an approximate north-east/ south-west alignment. The first dwelling on the plot would face The Ridgeway while the other

dwellings would address the access road in the site. This would not be a straight road but would be curved around a tree half way down the site, to avoid damage to its root system. The access road would have a turning head adjacent to plot 6 at the bottom of the site.

- 2.3 The dwellings would be two and a half stories with accommodation in their roofs and would have five or six bedrooms each. They would be served by either detached double garages (plots 1, 2, 4 and 6) or with integral double garages (plots 3 and 5).
- 2.4 Amended plans have been received during the course of the application removing the recessed areas of façades around the windows and doors in the front and flank elevations of the dwellings and reducing the number of full height glazed panels in the dwellings and replacing them with windows. Alterations to the turning head at the rear of the site, adjacent to Plot 6, have also been made.

### **3 Reason for Committee Consideration**

- 3.1 This application is presented to the Development Management Committee because a major objection has been received from Northaw and Cuffley Parish Council.

### **4 Relevant Planning History**

- 4.1 6/2018/0126/FULL Redevelopment of the site including the erection of nine residential units (3 x 5-bedroom, 4 x 4-bedroom and 2 x 3-bedroom), following the demolition of the existing dwelling, supporting structures and associated ancillary buildings. Refused on the grounds that by virtue of the number and coverage of dwellings and the combined area of roads/ hardstanding proposed, the development would have an urbanising impact that would be at significant variance to the established semi-rural/ edge of settlement character of this part of The Ridgeway. It would also result in a number of dull and poorly lit rooms in some of the dwellings, and the potential for overlooking or perceived overlooking from some of the rooms to the detriment of the amenities of the future occupiers, and bedrooms of poor size and shape. The development would have an adverse impact upon the amenities of future occupiers.

### **5 Relevant Planning Policy**

- 5.1 National Planning Policy Framework 2019 (NPPF)
- 5.2 Welwyn Hatfield District Plan 2005
- 5.3 Draft Local Plan Proposed Submission 2016
- 5.4 Supplementary Design Guidance 2005 (Statement of Council Policy) (SDG)

### **6 Site Designation**

- 6.1 The site lies within the settlement boundary of Cuffley as designated in the Welwyn Hatfield District Plan 2005. The Green Belt is immediately adjacent to the site, to the west and north.
- 6.2 The site is proposed as a designated housing site for up to eight dwellings within the emerging Welwyn Hatfield Local Plan (number HS26).

## **7 Representations Received**

7.1 The application was advertised by means of neighbour notification letters and a site notice.

7.2 44 responses have been received to the original plans, objecting on the following grounds;

- The development would set a precedent, would be out of character and would spoil a road well known for its distinct single detached houses, not projecting on to the land to the rear. The proposal would be detrimental to and not in keeping with the area and the road would lose its character;
- The proposal represents an overdevelopment of the site;
- The current plan for six 5 bedroom houses together with hard standing will have a similar urbanising effect as the mass and bulk of the dwellings is similar to those of the refused application;
- The houses would look completely out of character, squashed in this site and would spoil the whole character of the road;
- There are insufficient nearby facilities for the development;
- The development would ruin the landscape and as it is not in an urban area, it can only be accessed by car or van, it is not good for carbon footprint;
- This application is no more advantageous for the area than the previous one. Nothing has really changed from the previous application. The urbanising impact would be the same;
- Five bedroom houses indicate 'families'. Where are the children going to go? No more schools or doctors?
- The development would increase fumes from cars, utilities etc and would increase light pollution;
- Due to the increase of on-line shopping there could be up to an 800% increase of delivery vans in the area and surrounding areas;
- The removal of trees and bushes would have an impact on wildlife which would suffer as a result of the proposal;
- The removal of all the trees/bushes to clear the site would cause more water in the ground and along with the current increased rain patterns will cause flooding in the immediate vicinity and further;
- Construction vehicles would damage the roads and cause traffic problems in the area;
- Parking in Cuffley is at almost at its limit. If this is allowed to go ahead there will be considerably more congestion and parking problems in the village of Cuffley;
- This development will be a stepping stone to more developments which would change the village forever;

- The environment would be adversely affected;
- Increased cars would result in more damage to the roads;
- The site is unsustainable with a lack of proximity to shops, schools and station and would increase car use, making the local traffic situation worse than ever. Bus services are infrequent and the site is too far for residents to walk to and from the local facilities;
- There is insufficient infrastructure for these additional dwellings;
- The development would result in an unacceptable loss of privacy;
- This part of The Ridgeway is central to the character of Cuffley; allowing the application would damage the village;
- The number of vehicles emerging from the site would create highway safety issues;
- The proposal would create an ugly strip of unjustifiable development;
- The development would have an adverse impact upon the local facilities – the station car park, the local shops, the doctor’s surgery and local schools;
- The development may have a knock-on effect on traffic on Vineyards Road;
- There is also no footpath on the side of the proposed development, which further creates a safety issue and reliance on cars.
- The site cannot be said to be previously developed land, as claimed in the application’s Planning Statement, as it is a back garden site;
- Paragraph 70 of the NPPF discourages the inappropriate development of back garden land;
- Part of the site is designated as a Landscape Character Area; it is difficult to see how the development would help to preserve the character and quality of the area;
- The proposal conflicts with Policy D2 of the Local Plan as it is not in keeping with the character of the area;
- The revised scheme has not overcome the concerns with the initial proposal on the site;
- The road in the vicinity of the site has a dip and tends to flood adding to safety concerns;
- The headlights of cars leaving the site will shine into the property on the opposite side of the road, causing harm to amenity;
- Those dwellings in the development entertaining guests may result in cars parking along The Ridgeway.

7.3 No responses have been received to the amended plans.

## **8 Consultations Received**

8.1 **Northaw and Cuffley Parish Council** – The objection is on the grounds that the development would have an urbanising impact which does not respect the semi-rural character of The Ridgeway. While the number of houses has been reduced from 8 to 6, their mass and bulk is similar. This location is realistically only accessible to services by private transport. The only bus service is extremely

limited in frequency. Consequently, as walking or cycling to the village centre is also not feasible for most, the site is environmentally unsustainable. The development would set a precedent for other properties with large gardens along the road.

**8.2 Welwyn Hatfield Borough Council Client Services** – Properties could be incorporated on the existing ARRC scheme. The access road needs to be built to the specification in the bin store guidance document and be able to accommodate the size of the freighter indicated. The freighter will need to be able to enter and exit the road in a forward motion so the turning head will need to accommodate the freighter size and turning circle. The structure of the road must be able to sustain the weight of the freighter and be minimum 5m width. Please provide tracking diagram to show the how it is anticipated the freighter will access and exit using the dimensions provided on the guidance document attached.

**8.3 Welwyn Hatfield Borough Council Public Health and Protection –**

Noise from traffic along The Ridgeway

The Ridgeway is a relatively busy road with a 40mph limit and as such, the proposed dwelling closest to this road will more than likely require a specific noise insulation scheme and potentially mechanical ventilation to enable windows to be kept closed for the facades fronting the road.

Indoor noise levels will need to meet the levels found within BS8233, and if required, mechanical ventilation will need to be installed to enable windows to be kept closed and the internal environment protected.

The outdoor amenity areas will need to meet the 55dB WHO Guidelines for Community Noise Level. For Plot 1, this is likely to require the installation of a suitable fence which will act as a noise barrier. However, it is expected that the small area behind the property will meet this level, and it would be up to the developer to ensure that more than this space meets the guideline level for the overall quality of the development.

A noise impact assessment will be required to ensure that a suitable sound insulation scheme (and ventilation system if required) is installed as well as showing that the outdoor amenity spaces comply with the guidance levels.

It is expected that the properties further back in the development will benefit from shielding and distance attenuation of the noise, and will meet the relevant guideline levels without additional noise insulation measures.

Lighting

An external lighting assessment will need to be provided for the development, this must take into account external lighting such as street lighting and security lighting and its potential impact on existing properties. Vertical lux diagrams will be required so that the potential light ingress into windows can be assessed against the ILE guidance.

## Contaminated Land

The Council's mapping system is showing a potential former quarry of sand and gravel approximately 115m away. As such, it is recommended that an unexpected finds condition is placed on the application, so that if any contamination is found, the Council is notified.

## Conclusion

Recommend planning application is permitted but with conditions regarding sound insulation and ventilation; noise levels for the external amenity areas; unexpected finds; and informatives regarding noise control and dust control.

### 8.4 Herts Transport Programmes and Strategy –

(to the initial plans) – Does not wish to restrict the grant of permission subject to conditions regarding the submission of plans showing all works within the public highway; the gradient of the site accesses; visibility splays; the surfacing of all on-site vehicular areas; the provision of a Construction Traffic Management Plan; the siting and design of any access gates; and informatives regarding the storage of materials, obstruction of the public highway; roads deposits; construction standards for works within the highway; and the access road to remain private.

(to the amended plans) – There are no material changes in highway terms and the Highway Authority's previous comments remain the same.

### 8.5 Parking Services –

The parking requirement for a five bedroom house is to have at least three parking spaces. The development is proposing four parking spaces so meets the requirements. However, I would be interested to see how they will prevent overspill onto the access road.

### 8.6 Trees and Landscapes –

The applicant has supplied an Arboricultural Report from Southern Ecological Solutions. Within the report there is an assessment of trees on the site in accordance with BS:5837:2012. The categorisation of the trees is considered a fair appraisal of the trees.

The proposed scheme requires the removal of trees and groups of trees within the site, however these are mainly internal to the site and will have little overall impact on the character of the landscape in the area. The majority of the boundary trees and hedges are to be retained which will form a natural screen to and from the site. The scheme shows the retention of the majority of the high quality trees which will contribute and add to the appearance of the site.

The arboricultural report has given details of tree protection and a preliminary Arboricultural Method Statement (with details of ground protection and special construction methods). Should the application be approved the Arboricultural Method Statement and Tree Protection Plan should be adhered to fully.

In conclusion, there is no objection to the proposal on landscape grounds with the proviso that the Arboricultural Method Statement and Tree Protection Plan are adhered to fully. I would also recommend that a detailed landscape plan be

provided should the application be approved, which should include some tree planting to mitigate the loss of the trees and groups of trees.

## 8.7 The Lead Local Flood Authority –

In response to the original Surface Water Drainage Strategy and Flood Risk Assessment) the LLFA requested additional information to overcome objections.

A Surface Water Drainage Strategy and Assessment was submitted and the LLFA commented as follows –

Following a review of the Surface Water Drainage Strategy (SWDS) & FRA Phase 1 prepared by Ambiental, reference 4143 SWDS, version Final v2, dated 11 February 2019, we can confirm that we Hertfordshire County Council as the Lead Local Flood Authority are now in a position to remove our objection on flood risk grounds.

The drainage strategy is based upon permeable paving and underground tank storage and discharge into an ordinary watercourse. We note surface water calculations have been updated and ensure that the drainage strategy caters for all rainfall events up to and including 1 in 100 plus 40% for climate change with 9.5 l/s discharge to the existing ordinary watercourse.

We therefore recommend conditions regarding compliance with the approved surface water drainage assessment and the submission of a detailed surface water drainage scheme for the site based on the approved drainage strategy and sustainable drainage principles to the LPA should be imposed upon any planning permission granted.

## 8.8 Hertfordshire Ecology –

The Hertfordshire Environmental Records Centre has no ecological data within the curtilage of the site. The application site is adjacent to Home Wood Local Wildlife Site (LWS). It also has records of bats nearby as well as badger, grass snake, slow-worm, common lizard, toad, harvest mouse and hedgehog within 2km.

The present property is a large residential dwelling with an extensive back garden. An Extended Phase 1 Habitat Survey and Bat Roost Assessment by Southern Ecological Solutions was carried out of the site in June 2017. This was followed by an inspection of the main house in September 2017 to assess its potential as a bat roost. No suitable roosting features including buildings or scattered trees were observed. However due to the complexity of the roof structure of the main house it was considered to have low potential to support roosting bats. In line with best practice a single dusk emergence survey of the main house on 28th September 2017 which found no evidence of bat roosts with in the house. Consequently bats should **not** be considered a constraint to determination.

No evidence of badgers or their setts were found on site during the survey however general precautionary techniques are recommended. As the habitats on site provide some foraging and sett-building opportunities for badgers that may be present in the wider landscape, since more than 12 months has passed since the base line report I recommend that a pre-construction badger walkover should be undertaken to update this information.

The remaining area consists in the south of typical gardens and landscaping for a residential property consisting of amenity grassland and plantings of trees and shrubs of low ecological value. The area to the North of the site the eastern edge of which backs onto the LWS is shown in aerial photos to have been until recently, (up to sometime post 2010) an area of woodland continuous with, but not part of the LWS. Much of the ecological value of this area would have been lost with the removal of the trees. According to the Phase 1 Habitat survey this area is now made up of common ruderal species such as thistle and bramble of low ecological value.

Over all there is sufficient ecological information on protected and habitats for determination of this application and **ecology is not considered as a constraint to development**. Precautionary measures recommended for site clearance and reasonable biodiversity enhancements included in the report should be followed in full

If the LPA is minded to approve the development, I would therefore advise that the above are secured with a condition regarding the implementation of all ecological mitigation and enhancement measures in accordance with the Extended Phase 1 Habitat Survey and Bat Roost Assessment (Southern Ecological Solutions, October 2017) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. In addition, hedgehog & reptile friendly fencing should be installed throughout the development.

I also advise that the informatives regarding bats and hedgehogs are added to any consent granted.

The planning system should aim to deliver overall net gains for biodiversity where possible as laid out in the National Planning Policy Framework and other planning policy documents. Reasonable biodiversity enhancements should be incorporated into the development proposal, as recommended to include integrated bat roost units (bricks and tubes) in buildings, specific nest boxes for swift, house sparrow and starling (priority species), the planting of native species eg nectar rich plants, gaps under fencing to allow free movement of small mammals (e.g. hedgehogs) and amphibians/ reptiles, etc. These should be considered at an early stage to avoid potential conflict with any external lighting plans. Advice on type and location of habitat structures should be sought from an ecologist.

## **9 Analysis**

9.1 The main planning issues to be considered are:

- 1. The principle of the development and the impact on the character of the area**
- 2. The Council's Five Year Housing Supply Position**
- 3. The design of the development**
- 4. The living conditions of future occupiers**

- 5. The Impact upon neighbours**
- 6. Access, car parking and highway safety**
- 7. Landscaping**
- 8. Ecology and protected species**
- 9. Other material considerations**
  - i) Flood risk**
  - ii) Contaminated land**
  - iii) Lifetime homes**
  - iv) Waste and recycling**

## **10. Planning obligations and section 106 agreement**

### **The principle of the development and the impact on the character of the area**

- 9.2 The Government attaches great importance to the design of the built environment. The National Planning Policy Framework (NPPF) notes that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Planning policies and decisions should ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development; create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 9.3 Policy GBSP2 of the adopted District Plan directs new development to existing towns and settlements including Cuffley where new development may be considered to be more sustainable. Though the site is not within very easy reach of a range of local facilities, it is served by public transport making it accessible for means of transport other than the car – there is a bus stop on either side of the road, within a short distance of the site. There are also no known infrastructure constraints to the development and accordingly, considering the site on its own, the principle of development would accord with policies GBSP2 and SD1 of the Welwyn Hatfield District Plan 2005.
- 9.4 Furthermore, under Policy SADM33 of the emerging Local Plan, the site is proposed as an allocation as a Housing Site for eight dwellings (it is not within the Green Belt). This policy does state that proposals for the allocated sites will need to have regard to the site-specific considerations set out in the policy in addition to other relevant planning policies, planning objectives and other materials considerations. The site specific considerations are;

- Semi- rural context and character means a low density would appropriate in this location;
- Creation of a buffer between the site and the adjacent wildlife site and the ancient woodland to the north- east;
- Nesting birds and reptiles are likely to be present on the site. A Phase I Habitat Survey will be necessary to assess the site's ecological value;
- To minimise impacts on the ancient woodland, there should be caution over human influences such as lighting.

9.5 Notwithstanding that the site is proposed for allocation for a development of eight dwellings in the emerging Local Plan, any development must be considered on its merits in terms of design and context to ensure a suitably high standard of development. The six dwellings proposed in this application is less than the number of dwellings proposed for allocation for the site under Policy SADM33 of the emerging Local Plan and is therefore within the guideline level of development for the site.

9.6 Saved Policy D1 of the Welwyn Hatfield District Plan 2005 requires the standard of design in all new development to be of a high quality while Policy D2 requires all new development to respect and relate to the character and context of the area in which it is proposed. It notes that development proposals should as a minimum maintain, and where possible, should enhance or improve the character of the existing area. Policy GBSP2 requires that 'within specified settlements development will be limited to that which is compatible with the maintenance and enhancement of their character'. The Welwyn Hatfield District Plan Supplementary Design Guidance (SDG) supplements the policies contained in the District Plan.

9.7 It is considered that while the proposal would result in a development of a more suburban character than is present in the area, the impact would be acceptable. The presence of six dwellings and the associated access road and hardstanding for each of the dwellings would result in a more urban feel to the site than in its current form. However, the dwellings would be sited in a suitably informal layout, not rigidly aligned with each other. It is considered that the dwellings would be reflective of the spacious, more irregularly laid out nature of the dwellings surrounding the site. The layout would represent a compromise between the dwellings along The Ridgeway and the more tightly spaced dwellings along Bradgate Close and Coulter Close. Though the dwellings would be more reflective of the dwellings along The Ridgeway in terms of size and character than those along Bradgate Close or Coulter Close, they would be in character with whilst not copying the surrounding dwellings and the overall area. While the plot sizes of the proposed dwellings would be more in keeping with those along Bradgate Close and Coulter Close it is considered the development would be suitably reflective of this part of Cuffley considered as a whole and is of a high standard.

9.8 The dwellings along The Ridgeway are large dwellings with individual character and are generally spaciouly sited within their plots. While the proposed dwellings are smaller and in smaller plots, they are considered of be of a suitable design and spacing for the area as a whole, bearing in mind the character of Bradgate Close and Coulter Close as well. Moreover, as a consequence of their staggered layout when viewed from The Ridgeway, the gradient of the site and the spacing between them they would not appear in initial glances when passing the site, as an agglomeration of built form, but rather as individual dwellings in a landscaped setting. Particular attention could be paid to the landscaping around

the driveway and the front gardens of the dwellings to ensure that the setting of the dwellings is appropriate and pleasant. Moreover, additional landscaping could be used to assimilate the dwellings into the sylvan and well-landscaped nature of The Ridgeway in a fuller manner. This may be conditioned.

- 9.9 The spacing between the dwellings is sufficient to ensure that they reflect the overall character of the area. The dwellings would reflect the spacious siting of the neighbouring and surrounding dwellings. This would be reinforced by the fact that the dwellings on plots 3 and 6 would not be evident in glanced views down the driveway as they would be shielded by the dwellings on plots 2 and 5 respectively. The overall quantum of the built form on the site would be suitable and would be compatible with the character and nature of the surrounding area and the surrounding dwellings. Though the proposal would introduce a semi-suburban character to this semi-rural edge of settlement location, it would be in keeping with the overall area and would be acceptable, particularly with enhanced landscaping on the site (which may be secured by condition).
- 9.10 The character of an area is not merely experienced and assessed from public space and land – it is also seen from adjoining private land. In this case, though the flank boundaries of the site are generally well screened with trees and bushes, there are gaps in this vegetation and during the winter months when the leaf cover is far less evident, the views of the site from the neighbouring properties would be greater. While the proposed development would therefore be quite clearly noticeable and experienced from the neighbouring properties, the impact with the reasonably widely spaced dwellings, would be acceptable. The proposed dwellings would not appear overbearing or visually intrusive when viewed from the neighbouring dwellings or their rear gardens.
- 9.11 While the dwellings surrounding the application site are in a linear form addressing The Ridgeway and the dwellings along Bradgate and Coulter Closes also directly address those roads, the presence of a linear row of four dwellings from Bradgate (between Bradgate Close and Hanyards Lane) is not dissimilar to the form of the proposal at 36 The Ridgeway. The proposed dwellings would, on balance, be in a form and layout which would reflect the overall character of the area. The dwellings would be in a roughly linear form running back from the front of the site, perpendicular to The Ridgeway and would follow the form of the dwellings along Bradgate Close. It is considered that, on balance, the layout of the proposed development would be in keeping with the overall form of the wider area, given the character and layout of the dwellings along The Ridgeway and along Bradgate Close and Coulter Close. The reduction in the number of dwellings from the previous application to six and the character of the site that would result is felt to represent a suitable development of the site. The reasonably spaciouly sited dwellings are considered to appropriately reflect the edge of settlement and semi-rural character of the existing area.
- 9.12 The proposed layout of the dwellings would result in the provision of a quite significant amount of hardstanding in the site. In addition to the parking and turning areas for the dwellings, the access driveway through the site would result in a portion of the site being laid to hardstanding. However, the extent of the hardstanding would be quite significantly less than that proposed in the previous application on the site and would be in keeping with proportion of hardstanding in the development of four dwellings off Bradgate, between Hanyards Lane and Bradgate Close. This would also not be dissimilar to the development off Carbone Hill – Homewood Lane – where three dwellings are served by the lane. It is therefore considered that the development would be in keeping with the

overall character of the area. The proportion of hardstanding and soft landscaped areas within the individual plots and the site overall would be reflective of the surrounding area. This would again be in keeping with the general soft landscaped feel of the surrounding properties and would further highlight the suitability of the development's layout within this semi-rural area. The proposal would not have an over-urbanising impact upon the area and would not be at significance variance to the character of the area.

### **The Council's Five Year Housing Supply Position**

- 9.13 Paragraph 73 of the National Planning Policy Framework sets out that '*Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old*'.
- 9.14 Paragraph 11 of the Framework outlines that decisions should apply a presumption in favour of sustainable development and footnote 7 outlines that it includes, amongst other things, '*for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73).*'
- 9.15 The recent appeal at Entech House, Woolmer Green, outlined that the Council do not have a five year housing supply, a position acknowledged by the Council in the recently published Annual Monitoring Report (AMR) and therefore the Framework at Paragraph 11 notes the presumption in favour of sustainable development which for decision taking means;
- c) *approving development proposals that accord with an up-to-date development plan without delay; or*
  - d) *where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless:*
    - i. *the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
    - ii. *any adverse impacts of doing so would be significant and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*
- 9.16 The six dwellings in the development would provide a reasonably significant benefit to the Council. This would not just be in terms of providing high quality dwellings which would not have a harmful impact upon the character of the area, the amenity of the neighbouring occupiers or highway safety but also through relieving pressure on Green Belt land that the six dwellings would achieve.
- 9.17 Overall, given the above, it is submitted that there is greater aggregate weight for the development rather than against it. The additional housing proposed attracts significant weight for the proposal and clearly outweighs any harm that may be perceived to arise from the proposal. It is therefore considered that the proposal may be viewed as a sustainable form of development, taking account of its three dimensions as set out at paragraph 8 of the 2019 Framework. Accordingly,

paragraph 11 of the Framework, which deals with the presumption in favour of sustainable development, is met.

### **The Design of the Development**

- 9.18 The dwellings along The Ridgeway exhibit a wide range of styles, designs and materials. Those along Bradgate Close and Coulter Close do so to a lesser degree. However, the range is quite traditional which is befitting of this semi-rural/ edge of Green Belt location.
- 9.19 Following the receipt of the amended plans removing the recessed areas of façades around the windows and doors in the front and flank elevations of the dwellings and reducing the number of full height glazed panels in the dwellings and replacing them with windows, the design of the dwellings is considered relatively contemporary but appropriate. They would be of a suitably high quality design and though of a reasonably contemporary appearance, would not be at significant variance to the street scene as there are a number of dwellings along The Ridgeway of more modern design. The development would not appear alien or incongruous within the street scene but would be suitable to it, reflecting its high quality appearance.

### **Living Conditions of Future Occupiers**

- 9.20 The dwellings and the depth of their individual rooms would be served by large enough windows to ensure that they would be sufficiently well lit. There would be suitable distance between each of the dwellings and the trees on the boundaries of the site that the rooms would not be dull and gloomy but would receive sufficient amount of light to ensure their usability. The dwelling sizes and their individual rooms are large enough to otherwise provide for a suitable level of accommodation for the future occupiers. Together with the generous sizes of the gardens for the dwellings, the dwellings would provide a suitable high quality of accommodation for their future occupiers.

### **Impact on neighbours**

- 9.21 The proposed dwellings would be sited fairly centrally between the flank boundaries of the site. They would not impinge upon the amenities of the neighbouring occupiers at 34 and 38 The Ridgeway as a result of this siting and the boundary treatments of mature trees and vegetation. The dwellings would not result in loss of outlook or privacy for those dwellings.
- 9.22 The dwellings on plots 4, 5 and 6 would be sited sufficiently far from the dwellings at 11 Bradgate Close and those at 20 and 22 Coulter Close for them not to have an adverse impact upon the outlook from those dwellings. The boundary of the site with 11 Bradgate Close comprises a 1.8m fence and vegetation though does not form a solid visual screen. The boundary with the Coulter Close properties is more solid. As a consequence of these details and the distance between the proposed and existing dwellings, undue harm to the amenities of the existing occupiers would not arise. A loss of privacy would not result either. The back-to-back distance between the dwellings and those on Coulter Close would be around 27m. The back-to-flank distance between the dwellings and 11 Bradgate Close would be around 17.5m. The Council does not have specified back-to-back or back-to-flank distance requirements between new dwellings: the proposed distances together with the presence of the boundary fences and vegetation on the boundaries between the properties is considered to be sufficient to prevent any undue loss of privacy or amenity for the neighbouring

properties. There appears to be no habitable room windows in the flank elevation of the dwelling at 11 Bradgate Close, so loss of outlook would not be an issue. The other dwellings in Bradgate Close would not be unduly affected by the proposed development as a result of their distance from the application site.

- 9.23 The use of the turning area at the bottom of the site (adjacent to dwelling 6) would not result in a significant amount of noise and disturbance for the occupiers of the surrounding dwellings as a result of the siting of dwelling 6 and the boundary vegetation. This would not be sufficiently intrusive to cause an undue loss of amenity for the occupiers of the surrounding dwellings.
- 9.24 The properties along The Ridgeway either side of the site would not be affected by the dwellings in the rear half of the site as a consequence of the separation distance between them.

### **Access, car parking and highway considerations**

- 9.25 The County Highways Authority has raised no issues with the proposed development subject to conditions regarding the detailed engineering design and construction of all works within the public highway, the gradient of the access road, the provision of visibility splays, the provision of parking and turning space, the submission of a Construction Traffic Management Plan detailing on-site parking for construction vehicles, wheel cleaning facilities and areas for the storage of materials, and the set back distance for any gates to be installed in the development; and informatives regarding the storage of materials, obstruction of the highway, mud on the highway, construction standards for a new or amended crossover and the road within the development to remain private. It is therefore not considered that the proposal would have an adverse impact upon highway safety.
- 9.26 Though it is noted that the cars leaving the individual plots would be doing so in reverse gear (unless they have reversed into their plots), they would be doing so at low speed. While visibility between these cars and any vehicles on the access driveway itself may not be ideal, the cars would be travelling at low speed. The potential incidence of accidents occurring would be very low. Objection is not raised in these regards.

### **Landscaping Issues**

- 9.27 The proposed scheme requires the removal of trees and groups of trees within the site, however these are mainly internal to the site and will have little overall impact on the character of the landscape in the area. The majority of the boundary trees and hedges are to be retained which will form a natural screen to and from the site. The scheme shows the retention of the majority of the high quality trees which will contribute and add to the appearance of the site.
- 9.28 The Arboricultural Report submitted with the application has provided details of tree protection and a preliminary Arboricultural Method Statement (with details of ground protection and special construction methods). Subject to the full adherence with the Arboricultural Method Statement and the Tree Protection Plan, these trees (and the others to be retained on the site) would not be harmed by the development. The contribution the trees make to the sylvan nature and the character and appearance of the site and the wider area would be retained and accordingly, the proposed development is considered acceptable. However, to

compensate for the identified loss of the trees and the groups of trees in the development, a detailed landscape plan should be provided.

- 9.29 The tree protection plan supplied is considered appropriate and sufficient to protect the trees during the demolition and construction process. The information provided is adequate to provide protection for the retained trees and must be adhered to at all times should the application be approved. There is no objection to the proposal on landscape grounds with the proviso that the Arboricultural Method Statement and the Tree Protection Plan are adhered to fully.
- 9.30 A condition requiring a scheme of enhanced and superior quality landscaping should be imposed upon any permission granted to mitigate the loss of the trees required to facilitate the development. The scheme of landscaping should consist of a mix of tree species to be planted at significant size that will have an instant impact. A high quality landscaping scheme is required in this instance in order to maintain the landscape quality of the site and to provide a buffer between the existing development to the south of the site and the Home Wood Local Wildlife Site to the north of the site.

### **Ecology**

- 9.31 Protected species such as great crested newts, dormice and bats benefit from the strictest legal protection. These species are known as European Protected Species ('EPS') and the protection afforded to them derives from the EU Habitats Directive, in addition to the above legislation. Water voles, badgers, reptiles, all wild birds, invertebrates and certain rare plants are protected to a lesser extent under UK domestic law (NERC Act and Wildlife and Countryside Act 1981).
- 9.32 Sufficient ecological information on protected and priority species and habitats has been submitted with the application. It is not considered that the presence of such species is a constraint to the proposed development. However, precautionary measures are recommended for site clearance and reasonable biodiversity enhancements are also recommended. A condition requiring the ecological mitigation and enhancement measures contained in the Extended Phase 1 Habitat Survey and Bat Roost Assessment (Southern Ecological Solutions, October 2017) is suggested. Informatives concerning bats and hedgehogs are also suggested. The proposed development would not have an adverse impact upon the ecological value of the site.

### **Flood Risk and SuDS**

- 9.33 Following the receipt of the revised Surface Water Drainage Strategy (SWDS) & FRA Phase 1, the initial concerns over the development on flood risk grounds raised by the Lead Local Flood Authority have been removed subject to conditions regarding the development being carried out in accordance with the approved surface water drainage assessment and the provision of a detailed surface water drainage scheme for the site based on the approved drainage strategy and sustainable drainage principles. The Lead Local Flood Authority recommends that the Local Planning Authority satisfies itself that the proposed underground surface water attenuation features can be maintained for its lifetime and recommends the LPA obtains a maintenance and adoption plan from the applicant. This may be conditioned.

### **Contaminated Land**

- 9.34 The Council's mapping system is showing a potential former quarry of sand and gravel approximately 115m away. As such, it is recommended that an unexpected finds condition is placed on the application, so that if any contamination is found, the Council is notified.

### **Lifetime Homes**

- 9.35 The dwellings would be built to Lifetime Homes standards and no objections are raised in these regards.

### **Waste and Recycling**

- 9.36 The dwellings would be subject to the normal refuse and recycling collections. However, concern has been raised as to the ability of the service/ access road to sustain regular use by a large and very weighty refuse freighter. Notwithstanding this, the development could be serviced by its own, private refuse collection service, thereby overcoming this issue.

### **Planning obligations and section 106 agreement**

- 9.37 The proposed development falls below the threshold which would trigger the need for planning obligations and a section 106 agreement.

### **Conclusion**

- 9.38 It is recommended that planning permission be **GRANTED** subject to the following conditions and informatives:

#### **PRIOR TO COMMENCEMENT**

1. Prior to the commencement of the development hereby approved, details of the glazing scheme and ventilation systems to be installed to enable the development to meet the internal noise levels within BS8233:2014 and the ventilation standards within the Noise Insulation Regulations 1975 (as amended) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be installed as so approved.

REASON: To protect the amenity of the future residents of the development in accordance with Policy R19 & D1 of the Welwyn Hatfield District Plan 2005.

2. Prior to the commencement of the development, the applicant shall submit to, for the approval by the Local Planning Authority details relating to noise levels in the external amenity areas and the conformance to the WHO Community Noise Guideline level.

REASON: To protect the amenity of the future residents of the development.

3. Construction of the development hereby approved shall not commence until a Construction Management Plan has been submitted to and approved in writing by the local planning authority in consultation with the highway authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Traffic Management Plan shall include details of:

- a. Construction vehicle numbers, type, routing;

- b. Traffic management requirements;
- c. Construction and storage compounds (including areas designated for car parking);
- d. Siting and details of wheel washing facilities;
- f. Cleaning of site entrances, site tracks and the adjacent public highway;
- g. Timing of construction activities to avoid school pick up/drop off times;
- h. The management of crossings of the public highway and other public rights of way;

REASON: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policy SADM2 of the Emerging Welwyn Hatfield Local Plan 2016.

- 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 scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall include:

- 1. Detailed engineered drawings of the proposed SuDS features including cross section drawings, their size, volume, depth and any inlet and outlet features including any connecting pipe runs.
- 2. Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.

REASON: To prevent the increased risk of flooding, both on and off site.

#### **PRIOR TO ABOVE GROUND DEVELOPMENT**

- 5. 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 and where remediation is necessary a remediation scheme must be prepared which shall be subject to the approval in writing of the Local Planning Authority before any work above ground level is begun.

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.

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 in accordance with Policy R2 of the Welwyn Hatfield District Plan 2005.

6. No above ground development shall take place until full details on a suitably scaled plan of both hard and enhanced and superior quality 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
- (c) car parking layout and markings
- (d) vehicle and pedestrian access and circulation areas
- (e) hard surfacing, other hard landscape features and materials
- (f) existing trees, hedges or other soft features to be retained and a method statement showing tree protection measures to be implemented for the duration of the construction
- (g) planting plans, including specifications of species, sizes, planting centres, number and percentage mix, and details of seeding or turfing

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 GBSP2, D2 and D8 of the Welwyn Hatfield District Plan 2005.

7. No above ground development shall commence on site until the following information has been submitted to and approved in writing by the local planning authority: (a) A full site survey showing: the datum used to calibrate the site levels along all site boundaries, levels across the site, floor levels of adjoining buildings, and full details of the proposed finished floor levels of all buildings and hard surfaces.

(b) The development shall be carried out only in accordance with the approved details.

REASON: To ensure that the development is completed at suitable levels with regard to the surrounding properties in accordance with Policies D1 and D2 of the Welwyn Hatfield District Plan 2005.

8. Details relating to any external lighting scheme (including vertical lux diagrams which show potential light trespass into windows of nearby residential properties) shall be submitted to the Local Planning Authority and agreed in writing before any work above ground is begun. This scheme must meet the requirements within the Institution of Lighting Professionals guidance notes for the reduction of obtrusive lighting.

Reason: To protect the amenity of existing residential properties in the near vicinity to the development.

**PRIOR TO FIRST OCCUPATION**

9. Prior to the first occupation of the development hereby approved, additional plans, drawn to an appropriate scale, must be submitted and approved in writing by the Local Planning Authority, in consultation with the Highway Authority, which clearly show the detailed engineering design and construction of all works within the public highway. These works shall be constructed and completed before first occupation of the development.

REASON: To ensure the provision of an access and footway appropriate for the development in the interests of highway safety and convenience.

10. Before the development hereby approved is first occupied, all on site vehicular areas shown on plan P000 Rev B shall be accessible, surfaced and marked in a manner to the Local Planning Authority's approval so as to ensure satisfactory parking of vehicles outside highway limits. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

REASON: In order to minimise danger, obstruction, and inconvenience to users of the highway and of the premises.

11. Prior to the first occupation of the development hereby approved, a Maintenance and Adoption Plan for the underground surface water attenuation features shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be adhered to for the lifetime of the development.

REASON: In the interests of preventing the development from flooding.

12. Prior to the first occupation of the development hereby permitted (or Prior to commencement of the use hereby permitted) any access gate(s), bollard, chain or other means of obstruction shall be hung to open inwards, set back, and thereafter retained a minimum distance of 6m (may be reduced to 5.5) metres from the near channel edge of the adjacent carriageway.

REASON: To enable vehicles to safely draw off the highway before the gate(s) or obstruction is opened.

#### **POST DEVELOPMENT COMMENCING**

13. The gradient of both site accesses shall not be steeper than 1:10 for the first 5 metres from the edge of the carriageway.

REASON: So that vehicles may enter and leave the site with the minimum of interference to the free flow and safety of other traffic on the highway.

14. Concurrent with the construction of both accesses, a visibility splay of 2.4 metres x 90 metres shall be provided in both directions. These splays shall be permanently maintained in each direction within which there shall be no obstruction to visibility between 600mm and 2m above the carriageway level.

REASON: To provide adequate visibility for drivers entering or leaving the site.

15. All agreed landscaping comprised in the above details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the first building, the completion of the development, or in agreed phases

whichever is the sooner: and 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 GBSP2, D2 and D8 of the Welwyn Hatfield District Plan 2005.

16. The Arboricultural Method Statement and the Tree Protection Plan submitted with the application shall be adhered to in their entirety.

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

17. The development hereby approved shall be constructed in the materials specified on the approved plans.

REASON: To ensure a satisfactory standard of development in the interests of visual amenity in accordance with the National Planning Policy Framework and Policies D1 and D2 of the Welwyn Hatfield District Plan 2005.

18. The development hereby approved shall be carried out in accordance with the approved surface water drainage assessment carried out by Ambiental, reference 4143 SWDS, version Final v2, dated 11 February 2019 and the following mitigation measures detailed within the Flood Risk Assessment:

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 2.5 l/s during the 1 in 1 year rainfall event, 6.7 l/s during the 1 in 30 year rainfall event and 9.5 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 245 m<sup>3</sup> (or such storage volume agreed with the LLFA) of total storage volume in permeable paved area and attenuation tank feature.
3. Discharge of surface water from the private drain into the existing ordinary watercourse running along the site.

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.

19. All ecological mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Extended Phase 1 Habitat Survey and Bat Roost Assessment (Southern Ecological Solutions, October 2017) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. In addition,

hedgehog and reptile friendly fencing shall be installed throughout the development.

REASON: In the interest of the protection of protected species and the biodiversity of the site in accordance with Policies R11 and R16 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

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

<b>Plan Number</b>	<b>Revision Number</b>	<b>Details</b>	<b>Received Date</b>
619-02-4		Tree Removal	07/11/18
619-02-05		Tree Planting Plan	07/11/18
E000	C	Existing Location Plan	19/11/18
E001	C	Existing Block Plan	19/11/18
E030	C	Existing Street Elevation	19/11/18
E040	C	Existing Site Long Section	19/11/18
P000	D	Proposed Location Plan	15/02/19
P001	D	Proposed Block Plan Ground Floor	15/02/19
P002	D	Proposed Block Plan First Floor	15/02/19
P003	D	Proposed Block Plan Second Floor	15/02/19
P004	D	Proposed Block Plan Roof	15/02/19
P005	D	Proposed Top Site Ground Floor	15/02/19
P006	D	Proposed Bottom Site Ground Floor	15/02/19
P007	D	Proposed Top Site First Floor	15/02/19
P008	D	Proposed Bottom Site First Floor	15/02/19
P009	C	Proposed Top Site Second Floor	15/02/19
P010	C	Proposed Bottom Site Second Floor	15/02/19
P011	C	Proposed Top Site Roof	15/02/19
P012	C	Proposed Bottom Site Roof	15/02/19
P030	D	Street Elevation	15/02/19

P040	D	Proposed Site Long Sections	15/02/19
P041	D	Proposed Typical Sections	15/02/19
P042	C	Proposed Site Short Sections	15/02/19

## 1. 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 (see Officer's report which can be viewed on the Council's website or inspected at these offices).

### INFORMATIVES

1. This permission does not convey any consent which may be required under any legislation other than the Town and Country Planning Acts. Any permission required under the Building Regulations or under any other Act, must be obtained from the relevant authority or body e.g. Fire Officer, Health and Safety Executive, Environment Agency (Water interest etc. Neither does this permission negate or override any private covenants which may affect the land.
2. The decision notice contains conditions which require you to submit information to the Local Planning Authority and have it approved in writing before any development relating to the approval takes place. There is a formal procedure for applying to discharge conditions and further information can be found at <http://www.welhat.gov.uk/index.aspx?articleid=834>. Failure to comply with this type of condition may result in the development being considered unlawful and enforcement action could be taken. If you require any clarification or information please contact the section on 01707 357000.
3. Any damage to the grass verges caused by the development/works hereby approved is the responsibility of the applicant and must be re-instated to their original condition, within one month of the completion of the development/works. If damage to the verges are not repaired then the Council and/or Highway Authority will take appropriate enforcement action to remedy any harm caused.
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://hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or 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:

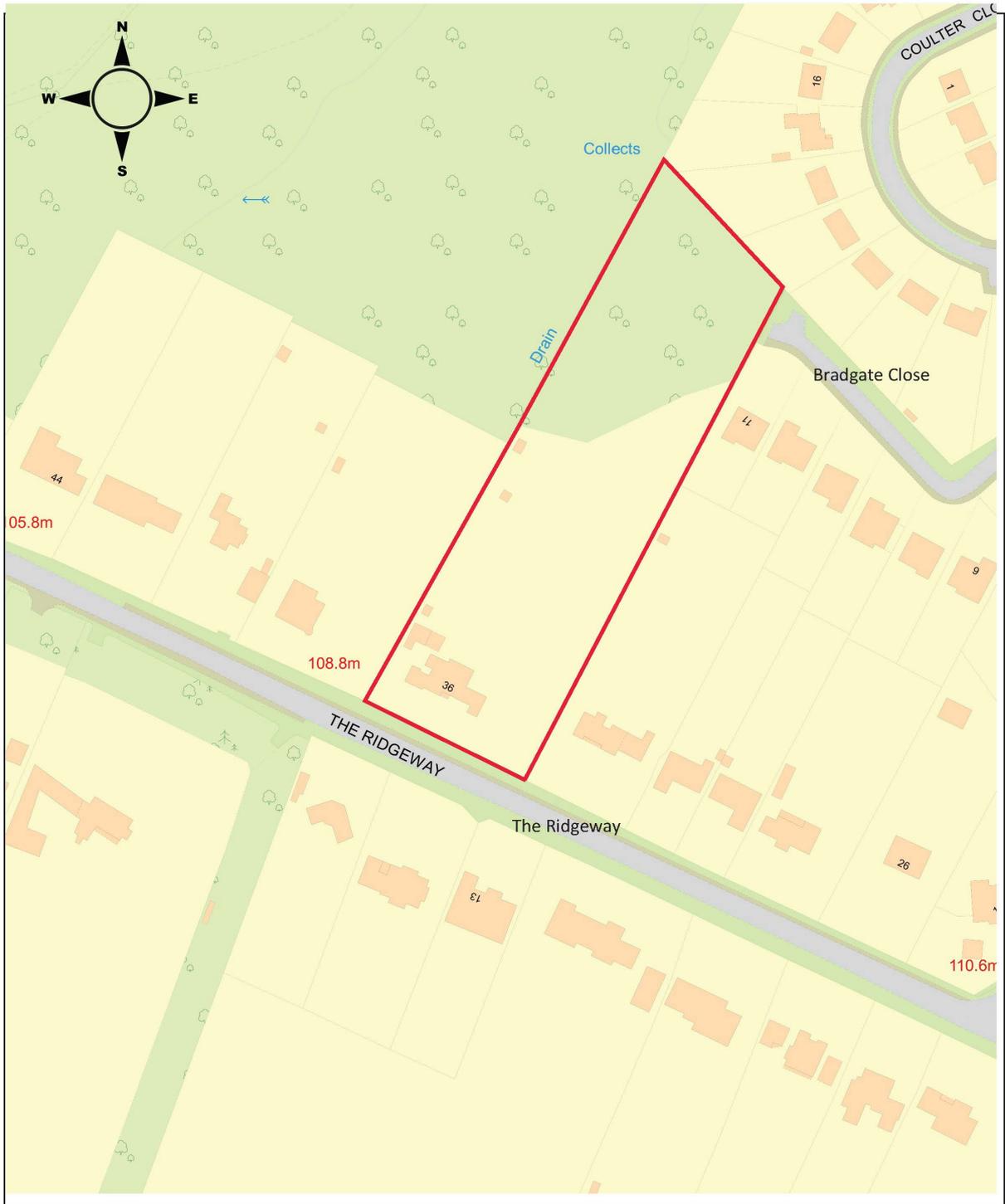
<https://hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

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://hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.
7. All works to be undertaken on the adjoining highway shall be constructed to the satisfaction and specification of the Highway Authority, by an approved contractor and in accordance with Hertfordshire County Council's publication "Roads in Hertfordshire – Highway Design Guide 126 (2011)". 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://hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> or by telephoning 0300 1234047.
8. The applicant is advised that all new highways marked on the plan within the site 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 <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.
9. The removal or severe pruning of any trees or mature bushes should be avoided during the bird breeding season (March to August inclusive) to protect breeding birds, their eggs, nests and young. If this is not practicable, a wide search of the area should be made no more than three days in advance of the tree/ shrub works and if any active nests are found, works should stop until the birds have left the nest.
10. If bats or evidence for them is discovered during the course of any works, work must stop immediately and advice sought on how to proceed lawfully from Bat Conservation Trust - tel: 0345 1300 228 or an appropriately qualified and experienced ecologist.
11. To avoid killing or injuring hedgehogs it is best practice for any brush piles to be cleared by hand. Any trenches on site should also be covered at night or have ramps to prevent and avoid hedgehogs being trapped during construction. It is also possible to provide enhancements for hedgehogs by making small holes within any boundary fencing. This allows foraging hedgehogs to be able to pass freely throughout a site. For further information on why we should protect and conserve hedgehogs please read 'The State of Britain's Hedgehogs (2015)' by the People's Trust of Endangered Species.

12. Any external lighting scheme should be designed to minimise light spill, in particular directing light away from the boundary vegetation to ensure dark corridors remain for use by wildlife as well directing light away from potential roost/ nesting sites.
13. All efforts shall be made to reduce dust generation to a minimum.
14. 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.
15. Water sprays shall be used, as and when necessary, to reduce dust from particularly "dusty" activities or stock piles.
16. 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
17. 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.
18. All plant and machinery in use shall be properly silenced and maintained in accordance with the manufacturers' instructions.
19. 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.
20. 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.
21. 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.
22. All pile driving shall be carried out by a recognised noise reducing system.
23. Where practical, rotary drills and bursters, actuated by hydraulic or electric power shall be used for excavating hard material.
24. In general, equipment for breaking concrete and the like, shall be hydraulically actuated.
25. '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.

26. Any emergency deviation from these conditions shall be notified to the Council without delay.
27. 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.
28. Permissible noise levels are not specified at this stage.

Tom Gabriel (Development Management)  
Date 07 03 2019



 <p>Welwyn Hatfield</p> <p>Council Offices, The Campus Welwyn Garden City, Herts, AL8 6AE</p>	Title: 36 The Ridgeway Cuffley Potters Bar		Scale: DNS
			Date: 2019
	Project: DMC Committee	Drawing Number: 6/2018/2863/FULL	Drawn: Ida Moesner
© Crown Copyright. All rights reserved Welwyn Hatfield Borough Council LA100019547 2019			