



East Herts Council
Wallfields, Pegs Lane
Hertford, Herts
SG13 8EQ
Tel: 01279 655761

Mr B Evans,
LITTLE HADHAM PARISH COUNCIL
Pryersfield
New Road
Little Hadham
Ware
SG112AW

Date: 03-Jul-2006
LPA Ref: 3/06/0926/FP/01992 531572
Pls ask for: Paul Cavill
Tel Ext: 01992 531572
E-mail: planning@eastherts.gov.uk
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Dear Sir/Madam

PROPOSAL: Redevelopment at Bury Green Farm to provide a new public green, 11 new dwellings 2 dwellings in converted stables with associated parking and landscaping and redevelopment at the Grove to provide new 5 affordable dwellings with associated parking and the reorganisation of existing spaces and landscaping - Amended scheme.
LOCATION: Bury Green Farm, Millfield Lane, Bury Green, HERTS, SG11 2HE
APPLICANT: Romehold Ltd

I write to advise you that this application was considered by the 28 June 2006 Dev. Control Committee. It was resolved that conditional planning permission be granted subject to the applicant, within six months of the date of the resolution, entering into a legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 in respect of the following matter(s):-

That subject to:

- a) No objections being raised by the Secretary of State following referral to him as an application involving a departure from the Development Plan; and
- b) The applicants entering into legal obligations pursuant to Section 106 of the Town and Country Planning Act 1990 in respect of the following matters:
 1. The provision of 5 dwelling units as affordable housing through a registered social landlord;
 2. The provision of a sum of £6,534 as a contribution towards Youth and Childcare;
 3. The provision of a sum of £3,258 as a contribution towards Library facilities;
 4. The provision of a sum of £17,500 as a contribution towards sustainable transport measures.

The condition(s) which will be attached to the permission, when issued, will be as follows:-





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1. The development to which this permission relates shall be begun within a period of three years commencing on the date of this notice.

Reason

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

2. No demolition shall take place within the proposed development site until the applicant, or their agents, or their successors in title, has secured the implementation of a programme of archaeological building recording in accordance with a written scheme of investigation, which has been submitted to and approved in writing by the Local Planning Authority.

Reason

To secure the protection of and proper provision for any archaeological remains, in accordance with Government advice set out in PPG16 'Archaeology and Planning' and in accordance with Policy BE15 of the East Herts Local Plan.

3. No development shall take place within the proposed development site until the applicant, their agents, or their successors in title, has secured the implementation of a programme of archaeological monitoring and recording in accordance with a written scheme of investigation, which has been submitted to and approved in writing by the Local Planning Authority. This condition will only be considered to be discharged when the Local Planning Authority have received and approved archaeological reports of all the required archaeological works.

Reason

To secure the protection of and proper provision for any archaeological remains, in accordance with Government advice set out in PPG16 'Archaeology and Planning' and in accordance with Policy BE15 of the East Herts Local Plan.

4. Detailed plans, showing the existing and proposed ground levels of the site relative to adjoining land, together with the slab levels and ridge heights of the proposed buildings, shall be submitted to, and approved in writing by the Local Planning Authority prior to the commencement of development.

Reason

To ensure that the development is properly related to the levels of adjoining development in the interests of amenity.

5. Details of all boundary walls, fences or other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any development. All such approved means of enclosure shall be erected prior to the first occupation of any dwellings commensurate





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therewith, and shall thereafter be retained to the satisfaction of the Local Planning Authority.

Reason

In the interests of privacy and visual amenity, in accordance with Appendix 1(D) of the East Herts Local Plan

6. Prior to any building works being commenced samples of the external materials of construction for the buildings hereby permitted shall be submitted to and approved in writing by the Local Planning Authority.

Reason

In the interests of both the appearance of the development and the character of the Bury Green Conservation Area, and in accordance with Policies BE2 and BE18 of the East Herts Local Plan.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, no further windows, doors or openings of any kind shall be inserted in the south-east facing elevation of the dwelling at Plot 1, without the written permission of the Local Planning Authority.

Reason

To safeguard the privacy of occupiers of the adjoining residential property, in accordance with Policy BE2 and Appendix 1(D) of the East Herts Local Plan.

8. 8. The development hereby permitted shall be carried out in complete accordance with all of the recommendations detailed in the Ecological Report of the application site carried out by Jones & Sons Environmental Sciences. In addition, in order to minimise the risk of killing or injury to any Great Crested Newts, works should be carried out between the end of February and the beginning of June, when they are most likely to be confined to breeding ponds. Outside of this time, development works should not commence until strategically placed amphibian exclusion fencing has been erected on site in accordance with details previously agreed in writing with the Local Planning Authority.

Reason

To protect the habitats of both bats, great crested newts and wild birds, which are protected species under the Wildlife and Access to the Countryside Act 1981, and in accordance with policy RA13E of the East Herts Local Plan.

9. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development Order), 1995 the erection or construction of gates, fences, walls or other means of enclosure as described in Schedule 2, Part 2, Class A of the Order shall not be undertaken without the prior written permission of the Local Planning Authority.





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Reason

To ensure the Local Planning Authority retains control over any future development as specified in the condition in the interests of amenity.

10. Notwithstanding the provisions of Article 3 of the Town and Country (General Permitted Development Order), 1995, no development as specified in Schedule 2, Part 1, Classes A, B, C, E and F shall be undertaken without the prior consent, in writing, of the Local Planning Authority.

Reason

The specific circumstances of this site warrant the Local Planning Authority having control over any further development.

11. Details of facilities to be provided for the storage and removal of refuse from the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

Reason

In the interests of amenity, in accordance with Appendix 1(D) of the East Herts Local Plan.

12. Before the development hereby permitted is commenced, details shall be submitted to and approved in writing by the Local Planning Authority of the measures to be taken in the design, construction decommissioning and demolition of the development to; re-use existing materials within the new development ; recycle waste materials for use on site and off; minimise the amount of waste generated; minimise the pollution potential of unavoidable waste; treat and dispose of the remaining waste in an environmentally acceptable manner; and to utilise secondary aggregates and construction and other materials with a recycled content. The measures shall be implemented in accordance with the approved details.

Reason

To accord with Hertfordshire Waste Local Plan policies 7 and 8.

13. Prior to the occupation of the development hereby permitted all buildings marked for demolition on the approved plan no. ***** shall be demolished, materials removed from the site and ground areas restored for soft landscaping in accordance with a scheme to be first submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the appearance of the site in accordance with Policy BE2 of the East Hertfordshire Local Plan Adopted December 1999

14. Before occupation of any dwellings hereby permitted on either the Bury Green Farm site and The Grove development the existing vehicular accesses shall





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have been improved and the on-site vehicle carriageway and associated parking and turning areas shall be constructed in accordance with details to be submitted to the local planning authority before any development above ground level commences.

Reason

To ensure that the access and proposed roadworks within the highway are constructed to an adequate standard.

15. Before occupation of any dwellings hereby permitted on the Bury Green Farm site, signage as required by the Highway Authority shall be provided and in place at the means of ingress and egress in accordance with a scheme to be submitted to and approved by the Local Planning Authority.

Reason

In the interest of road safety and traffic movement.

16. Before the premises are occupied all on site vehicular areas shall be surfaced 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.

17. On site parking shall be provided for the use of all contractors, sub contractors, visitors and delivery vehicles engaged on or having business on site in accordance with details to be agreed in writing with the local planning authority, in consultation with the Highway authority, before the commencement of on site works.

Reason

In the interest of highway safety and efficiency.

18. Prior to the commencement of development, detailed information on the provision of cycle facilities must be submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority.

Reason

To ensure compliance with the requirements of the Hertfordshire Structure Plan Policy 25 and to facilitate the use of sustainable transport.

19. Before occupation of any dwellings hereby permitted the vehicle access to the commercial premises to the north and west of the Bury Green Farm site shall be





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permanently closed in accordance with details to be submitted to and approved by the local planning authority.

Reason

In the interests of highway safety.

20. Other than vehicles associated with the within highway construction of the improvements to the existing accesses all construction vehicle movements and construction access arrangements shall be from the existing accesses taken directly from Millfield Lane.

Reason

To ensure the impact of construction vehicles on the local road network is minimised.

21. No development shall commence until a wheel cleaning facility has been provided at all site exits in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The wheel cleaner(s) shall be removed from the site once the roadworks necessary to provide adequate access from the public highway have been completed to the satisfaction of the Local Planning Authority.

Reason

In the interests of the amenity and to prevent the deposit of mud or other extraneous material on the highway during the construction period.

22. All existing trees shall be retained, unless shown on the approved drawings as being removed. All trees on and immediately adjoining the site shall be protected from damage as a result of works on the site, to the satisfaction of the Local Planning Authority in accordance with relevant British Standards, for the duration of the works on site and until at least five years following contractual practical completion of the approved development. In the event that trees become damaged or otherwise defective during such period, the Local Planning Authority shall be notified as soon as reasonably practicable and remedial action agreed and implemented. In the event that any tree dies or is removed without the prior consent of the Local Planning Authority, it shall be replaced as soon as is reasonably practicable and, in any case, by not later than the end of the first available planting season, with trees of such size, species and in such number and positions as may be agreed with the Authority.

Reason

To ensure the continuity of amenity afforded by existing trees, in accordance with policy BE8 of the East Herts Local Plan.

23. All existing hedges or hedgerows shall be retained, unless shown on the approved drawings as being removed. All hedges and hedgerows on and immediately adjoining the site shall be protected from damage for the duration





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of works on the site to the satisfaction of the Local Planning Authority in accordance with relevant British Standards. Any parts of hedges or hedgerows removed without the Local Planning Authority's consent or which die or become, in the opinion of the Local Planning Authority, seriously diseased or otherwise damaged within five years following contractual practical completion of the approved development shall be replaced as soon as is reasonably practicable, and, in any case, by not later than the end of the first available planting season, with plants of such size and species and in such positions as may be agreed with the Authority.

Reason

To ensure the continuity of amenity afforded by existing hedges and hedgerows, in accordance with policy BE8 of the East Herts Local Plan.

24. All existing trees, shrubs, natural and historic features not scheduled for removal, shall be fully safeguarded during the course of the site works and building operations. No work shall commence on site until all trees, shrubs or features to be protected are fenced along a line to be agreed with the Local Planning Authority with 3.2 metre minimum height metal fencing (i.e. weld mesh) to BS5037 (2005) securely mounted into the ground. Such fencing shall be maintained during the course of the works on site. No unauthorised access or placement of goods, fuels or chemicals, soil or other materials shall take place inside the fenced area.

Reason

To ensure that trees, shrubs and other natural features to be retained are adequately protected from damage to health and stability throughout the construction period in the interests of amenity, in accordance with policy BE8 of the East Herts Local Plan.

25. No works or development shall take place until full details of both hard and soft landscape proposals have been submitted to and approved in writing by the Local Planning Authority. These details shall include, as appropriate: (a) Car parking layouts (b) Other vehicle and pedestrian access and circulation areas (c) Hard surfacing materials (d) Minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting) (e) Proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines, etc. indicating lines, manholes, supports, etc.) (f) Retained historic landscape features and proposals for restoration, where relevant (g) Planting plans (h) Written specifications (including cultivation and other operations associated with plant and grass establishment) (i) Schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate (j) Implementation timetables

Reason





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To ensure the provision of amenity afforded by appropriate landscape design, in accordance with policy BE8 of the East Herts Local Plan.

26. All hard and soft landscape works shall be carried out in accordance with the approved details and to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards or other recognised Codes of Good Practice. The works shall be carried out prior to the occupation of any part of the development or in accordance with the timetable agreed with the Local Planning Authority. Any trees or plants that, within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation.

Reason

To ensure the provision, establishment and maintenance of a reasonable standard of landscaping in accordance with the approved designs, in accordance with policy BE8 of the East Herts Local Plan.

27. No demolition or construction works relating to this permission shall be carried out on any Sunday or Bank Holiday, nor before 07.30 hours or after 18.00 hours on any days nor on any Saturday before 08.00 or after 13.00 hours.

Reason

In the interests of residential amenity, in accordance with Policy BE10 of the East Herts Local Plan.

28. Airborne particulates from operations on the site shall be minimised by spraying with water or by carrying out of other such works that may be necessary to suppress dust. Visual monitoring for dust is to be carried out continuously.

Reason

To protect the health and amenity of people in the vicinity.

29. No waste materials generated as a result of the proposed demolition and/or construction operations shall be burnt on the site. All such refuse shall be disposed of by suitable alternative methods.

Reason

To ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties.

30. Prior to the commencement of the use hereby permitted, a survey shall be carried out to identify the presence of any asbestos on the site. If asbestos is found on site a report should be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out prior to the





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commencement of the use hereby permitted. If unbonded cement is found the Health and Safety Executive at 14 Cardiff Road, Luton, LU1 1PP shall be contacted and the asbestos shall be removed by a licensed contractor.

Reason

To protect the health and amenity of people in the vicinity, including those working on the development.

31. The presence of any significant unsuspected contamination that becomes evident during the development of the site shall be brought to the attention of the Local Planning Authority.

Reason

To ensure that adequate protection of human health, the environment and water courses is maintained.

32. Prior to the commencement of the construction works hereby permitted, a detailed characterisation of the site shall be carried out in accordance with document reference (a) CG/1479 entitled (b) Site at Bury Green Farm, Hertfordshire. The results of the intrusive investigation and any proposed remediation shall be relevant to the risks associated with the contamination and shall be submitted to the Planning Authority for prior approval in writing. Reference shall be made to BS: 10175: 2001 – Code of Practice for the Investigation of Potentially Contaminated Sites. On completion of the works, the developer shall provide a validation report to the Council's Planning Department, which confirms that the works have been completed in accordance with the approved documents and plans.

Reason

To ensure that adequate protection of human health, the environment and water courses is maintained.

33. Surface water drainage works shall be carried out in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority before development commences.

Reason

To prevent increased risk of flooding and to improve water quality.

34. The garage(s) shall be used for the housing of private vehicles and not as additional living accommodation or for any commercial activity.

Reason

To ensure the continued provision of off-street parking facilities in the interests of highway safety to safeguard the amenities of adjoining occupiers, and in accordance with policy BE7(II) and Appendix IV of the East Herts Local Plan.

