



East Herts Council
Wallfields, Pegs Lane
Hertford, Herts
SG13 8EQ
Tel: 01279 655261

Town & Country Planning Act 1990

D E C I S I O N N O T I C E

R M Crump Ltd
Mill End
Rushden
Buntingford
Hertfordshire
SG9 0TA

App No: 3/09/0101/OP
BUNTINGFORD

**Residential development of 11 houses
Allotment Gardens, Ermine Street, Buntingford, Herts, SG9 9AZ**

In pursuance of their powers under the above mentioned Act and the Orders and Regulations for the time being in force thereunder, the Council hereby

GRANT OUTLINE PERMISSION SUBJECT TO CONDITIONS, as undermentioned,

for the development proposed in your application dated 20 January 2009 and received with sufficient particulars on 30 April 2009 and shown on the plans *as submitted/~~as amended~~ accompanying such application.

-
1. (a) Application for approval in respect of all matters reserved in this permission shall be made to the Local Planning Authority within a period of 3 years commencing on the date of this notice. (b) The development to which this permission relates shall be begun by not later than whichever is the later of the following dates: (i) the expiration of a period of 5 years commencing on the date of this notice (ii) the expiration of a period of 2 years commencing on the date upon which final approval is given by the Local Planning Authority or by the Secretary of State, or in the case of approval given on different dates, the final approval of the last such matter to be approved by the Local Planning Authority or by the Secretary of State.

Reason

To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall not be carried out otherwise than in accordance with detailed plans and drawings showing the siting, design and external appearance of the building(s), the means of access thereto and landscaping of the site, which shall have been approved in writing by the Local Planning Authority before any development is commenced.

Reason

To comply with the provisions of Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995.



INVESTOR IN PEOPLE



East Herts Council
Wallfields, Pegs Lane
Hertford, Herts
SG13 8EQ
Tel: 01279 655261

3. No development shall take place until the applicant has secured the implementation of a programme of archaeological work 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 BH2 of the East Herts Local Plan Second Review April 2007.
4. Adequate space for the parking of construction workers vehicles, and for the delivery and storage of materials, shall be provided within the site, prior to the commencement of construction works, and the use of such areas shall not interfere with the public highway.

Reason
To ensure adequate off-street parking facilities in the interests of highway safety and traffic flows.
5. Wheel washing facilities shall be established within the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority. Such facilities, shall be established prior to the commencement of demolition or construction and shall be kept in operation at all times during demolition and construction works.

Reason
To prevent the tracking out of materials onto the highway in the interests of highway safety.
6. Prior to the commencement of development, a detailed survey and assessment of the site shall take place to determine if the land is contaminated and, if so, what remediation measures are necessary. Any necessary remediation shall include measures to decontaminate the site (specifying actions and target levels relating to any contaminants found) and prevent pollution of groundwater and surface water. All details of any survey, assessment and proposed remediation works (complete with a timescale) pursuant to this condition shall be submitted to and agreed in writing by the Local Planning Authority and development shall only take place in accordance with the agreed details.

Reason
To minimise and prevent pollution of the land and the water environment and in accordance with policy SD5 of the East Herts Local Plan Second Review April 2007.
7. The outline permission hereby granted is limited solely to the amount of development proposed within the submitted application (11 residential units).

Reason
In order to control any consequent need for affordable housing provision arising from an increase in the number of units on the site in accordance with policies HSG3 and HSG4 of the East Herts Local Plan Second Review April 2007.





East Herts Council
Wallfields, Pegs Lane
Hertford, Herts
SG13 8EQ
Tel: 01279 655261

- 8. No removal of trees, scrub or hedgerow shall take place outside the bird breeding season (1 March – 31 August), unless otherwise agreed in writing by the Local Planning Authority. If breeding birds are found during site clearance, work must stop immediately and a statutory authority or suitably qualified ecologist informed.
Reason
To protect the habitats of breeding birds under the Wildlife and Access to the Countryside Act 1981, and in accordance with policy ENV16 of the East Herts Local Plan Second Review April 2007.

- 9. Prior to the commencement of any works on the site, a survey of the site shall be carried out and details including an assessment of the impact of the proposed development on reptiles and bats and any appropriate measures to alleviate such impact, shall be submitted for the written approval of the Local Planning Authority. Mitigation measures shall be carried out in accordance with the approved scheme.
Reason
To enable proper consideration of the effect of the development on the contribution of nature conservation interests to the amenity of the area, in accordance with policies SD4 and ENV16 of the East Herts Local Plan Second Review April 2007.

- 10. Prior to the occupation of any of the units hereby permitted, vehicular and pedestrian access shall be provided through the site between Ermine Street and the allotment site to the west. Once provided the access shall thereafter be retained for that purpose.
Reason
To ensure continued access to the adjoining allotment site.

Directive/s

- 1. This planning permission is also subject to a Planning Obligation under S106 of the Town and Country Planning Act 1990 (as amended).

This decision relates to Plan Numbers

790.01, 790.02, 790.03, 06809MC-2D, Tree Survey Report, Planning Statement, FH1, 790.04

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan May 2008, Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and East Herts Local Plan Second Review April 2007), and in particular policies SD2, HSG1, HSG6, TR2, TR7, ENV1, ENV2, ENV3, ENV11, ENV25, BH1, BH2, BH3, LRC1, LRC2, BUN1 and IMP1. The balance of the considerations having regard to those policies and other material considerations is that permission should be granted.







East Herts Council
Wallfields, Pegs Lane
Hertford, Herts
SG13 8EQ
Tel: 01279 655261

Please note that under new regulation 11D of the Town and Country Planning (fees for applications and deemed applications) (amendment) (England) Regulations 2008, a fee is chargeable of £85 per request (or £25 where the related permission was for extending or altering a dwelling house) for the discharge and/or confirmation of compliance with a condition. To avoid any unnecessary cost we would recommend that you submit all the required information for discharge of conditions in one application as the fee is payable per request.

Director of Neighbourhood Services
(Development Control)
Wallfields
Pegs Lane
Hertford SG13 8EQ

Dated: 20 May 2010

Signed: 

Nicola Beyer

SEE ATTACHED NOTES

DEC5opac03/10/03



APPEALS TO THE SECRETARY OF STATE

If you are aggrieved by the decision of your local planning authority to refuse permission or consent for the proposed development or to grant it subject to conditions about which you are unhappy, you can appeal to the Secretary of State.

If you want to appeal, you must do so within six months of any decision taken on or after 14 January 2005 relating to an application for planning permission, for listed building consent or conservation area consent, or within eight weeks of one relating to an application for display of an advertisement. You must use a form which you can get from the Customer Support Unit, Planning Inspectorate at the Department of the Environment, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel: 0117 372 6372). Appeal forms and guidance can be downloaded from the Planning Inspectorate website (www.planning-inspectorate.gov.uk). Additional guidance is available through the Planning Portal (www.planningportal.gov.uk). There are two leaflets available: one which gives guidance on how to appeal on line entitled 'Your Guide to Appeals Online' and another which explains a new and simpler way of making an appeal entitled 'Simply Appealing'. Both leaflets are available free on request from the planning office at the council offices.

The Secretary of State can allow a longer period for giving notice of an appeal but he will not normally be prepared to do so unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission or consent for the proposed development.

ONLINE APPEALS SERVICE

The Planning Inspectorate have introduced an online appeals service which you can use to make your appeal online. This is available through the Appeals area of the Planning Portal – see www.planningportal.gov.uk/pcs. The Inspectorate will publish details of your appeal on the Internet (on the Appeals area of the Planning Portal). This may include a copy of the original planning application form and relevant supporting documents supplied to the local authority by you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate.

Please ensure you only provide information, including personal information, that you are happy will be made available to others in this way. If you supply personal information belonging to a third party, please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.

PURCHASE NOTICES

If either the local planning authority or the Secretary of State for the Environment refuses permission or consent to develop land, or grants it subject to conditions perceived to be unreasonable, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the local planning authority in whose area the land is situated. This notice will require the authority to purchase his interest in the land in accordance with the provisions of the Town and Country Planning Act 1990.