

E-MAIL CORRESPONDENCE

Date: 6th November 2020
Our Ref: 3/19/2614/FUL
Please ask for: Rachael Collard
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Town and Country Planning Act 1990 (as amended)

Dear Councillor

APPLICATION: 3/19/2614/FUL

PROPOSAL: Mixed use re-development comprising partial demolition of existing buildings and replacement with 3419 square metres of commercial floorspace (Use Classes A1-A4, D1), an 86-bed hotel (Use Class C1), 98 residential apartments (use class C3), alterations to an existing car park, new bus station facilities and associated works and improvements.

AT: Bircherley Green Shopping Centre Hertford Hertfordshire SG14 1BN ;

FOR: Mr Alan Ward

Further to my earlier consultation regarding this proposal, I write to inform you that this matter was considered by the Council on the 6th November 2020 and it was decided to Grant Planning Permission subject to Conditions, subject to the following:

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 (As Amended).
2. The development hereby approved shall be carried out in accordance with the approved plans listed at the end of this Decision Notice.
Reason
To ensure the development is carried out in accordance with the approved plans, drawings and specifications.
3. Prior to the commencement of above ground works for the hotel as shown on drawing number 19 0052-01 N, and notwithstanding the submitted plans, full details, including samples, of the external materials of construction for the building hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved materials.

Reason: In the interests of appearance and securing a high quality development within the Hertford Conservation Area and in accordance with the provisions of the approved Hertford Town Centre Urban Design Strategy 2016 and policy DES4 of the East Herts District Plan 2018 and the NPPF.

4. Prior to the commencement of above ground works for Blocks A and B and the carpark as shown on drawing number 19 0052-01 N, and notwithstanding the submitted plans, the following shall be submitted to and approved in writing by the Local Planning Authority:
- o Samples of materials and a plan showing where those materials shall be used.
 - o The preparation of a sample board of all proposed facing materials (minimum 2 metres square) to be constructed on site for the Local Planning Authority to inspect. Thereafter it shall be retained on site until the completion of the development to which it relates.
 - o Details of the balcony balustrades which shall be obscure glazed.
 - o Details of the louvered screen to the car park.

The development shall thereafter be implemented in accordance with the approved materials and details.

Reason: In the interests of appearance and securing a high quality development within the Hertford Conservation Area and in accordance with the provisions of the approved Hertford Town Centre Urban Design Strategy 2016 and policy DES4 of the East Herts District Plan 2018 and the NPPF.

5. Prior to the commencement of above ground works and notwithstanding the approved plans, a detailed drawing shall be submitted to and approved in writing by the Local Planning Authority, showing the decorative brickwork to be used on all proposed buildings. The development shall thereafter be implemented in accordance with the approved details.

Reason: In the interests of appearance and securing a high quality development within the Hertford Conservation Area and in accordance with policy DES4 of the East Herts District Plan 2018 and the NPPF.

6. The development hereby permitted shall not begin (excluding demolition) above slab level until a scheme to deal with contamination of land/ground gas/controlled waters has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include all of the following measures:

1. A Phase II intrusive investigation report detailing all investigative works and sampling on site, together with the results of the analysis, undertaken in accordance with BS 10175:2011 Investigation of Potentially Contaminated Sites - Code of Practice. The Report shall be based on the recommendations in "Bircherley Green Shopping Centre Phase One desktop Study" Report reference 2154-DS02 Rev B, Dated January 2017 by BJB Consulting. The report shall include a detailed quantitative human health and environmental risk assessment.

2. A remediation scheme detailing how the remediation will be undertaken, what methods will be used and what is to be achieved. A clear end point of the remediation shall be stated, and how this will be validated. Any ongoing monitoring shall also be determined.

3. If during the works contamination is encountered which has not previously been identified, then works shall cease and the additional contamination shall be fully monitored and assessed in an appropriate remediation scheme which shall be submitted to and approved in writing by the local Planning Authority.

4. A validation report detailing the proposed remediation works and quality assurance certificates to show that the works have been carried out in full accordance with the approved methodology shall be submitted prior to the development being brought into use. Details of any post-remedial sampling and analysis to demonstrate that the site has achieved the required clean-up criteria shall be included, together with the necessary documentation detailing what waste materials have been removed from the site.

Reason: To minimise and prevent pollution of the land and water environment in accordance with National Planning Policy Guidance set out in section 178 of the National Planning Policy Framework, and in order to protect human health and the environment in accordance with policy EQ1 of the adopted East Herts District Plan 2018.

7. The development permitted by this planning permission shall be carried out in accordance with the principles of the approved Flood Risk and Drainage Strategy Report, produced by Walker Associates, Project Reference 7301, dated 6 May 2020.
1. Limiting the surface water runoff generated by the critical storm events so that it will not exceed a surface water runoff rate of 1.7 l/s for the 1 in 1 year event and additional 4.0 l/s up to and including the 1 in 100 year plus 40% climate change event.
 2. Providing storage in permeable paving with tanked gravel sub-base to ensure no increase in surface water runoff volumes for all rainfall events up to and including the 1 in 100 year plus climate change event.
 3. The surface water runoff from the site will discharge into the existing single direct outfall into the River Lea.

The drainage scheme 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 and reduce the risk of flooding by ensuring the satisfactory disposal and storage of surface water from the site for future occupants in accordance with policy WAT1 of the East Herts District Plan 2018.

8. No development shall take place, excluding demolition until a detailed surface water drainage scheme for the site based on the principles as set out in Condition 7, 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 occupied. The scheme shall include:
1. Confirmation of the condition survey and the invert level of the outfall pipe and its availability during the 1 in 30-year rainfall event.
 2. Final, detailed post-development calculations/modelling in relation to surface water for all rainfall events up to and including the 1 in 100 year return period including a +40% allowance for climate change.
 3. A detailed drainage plan including the location and provided volumes of all SuDS features, pipe runs, invert levels and discharge points and shall include details to prevent oil/water interceptor which acts to prevent petrol/oil being discharged into

the surface and groundwater network. This should include full details hotel and service yard areas. If areas are to be designated for informal flooding these should also be shown on a detailed site plan. A flat valve may need to be included at the outfall, subject to an outfall assessment.

4. Detailed assessment of existing public surface water sewer lines crossing the development site and its impact on the proposed new drainage scheme.

5. Full assessment of proposed SuDS treatment and management stages for all surface water runoff from the entire development site.

6. Exceedance flow paths for surface water for events greater than the 1 in 100 year including climate change allowance.

7. 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. This should include details regarding the connection to the existing outfall pipe.

Reason: To prevent the increased risk of flooding, both on and off site in accordance with policy WAT1 and WAT5 of the East Herts District Plan 2018.

9. Upon completion of the drainage works, a maintenance and management plan for the SuDS features and drainage network shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

1. Provision of complete set of as built drawings including the final drainage layout for site drainage network.

2. Maintenance and operational activities for the lifetime of the development.

3. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.

Reason: To ensure suitable maintenance of the features In accordance with policy WAT5 of the East Herts District Plan 2018.

10. With the exception of the hotel and ancillary restaurant/bar, the A3 and A4 uses hereby granted planning permission shall cease trading and all visiting members of the public shall have departed the units by 23:30hrs on all days.

Reason: In order to ensure an adequate level of amenity for nearby residents in accordance with policy EQ2 of the East Herts District Plan 2018.

11. Prior to the commencement of development hereby approved, excluding demolition, 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 and the development shall be carried out in accordance with the approved details.

Reason: The details are required to be approved prior to the commencement of development to ensure that the development is properly related to the levels of adjoining development in the interests of neighbour amenity and good design in accordance with Policy DES4 of the East Herts District Plan 2018.

12. In connection with all site demolition, site preparation and construction works, no plant or machinery shall be operated on the premises before 07.30hrs Monday to Saturday, nor after 18.30hrs on weekdays and 13.00hrs on Saturdays, not at any time on Sundays or Bank Holidays.

Reason: To safeguard the amenity of existing and future residents of nearby properties, in accordance with policy EQ2 of the adopted East Herts District Plan 2018.

13. Before any of the A3/ A4 uses have been brought into use, a scheme of sound attenuation works shall be submitted to and approved in writing by the Local Planning Authority. Once these details are agreed they shall be installed and retained in the approved form thereafter. The scheme of works shall be capable of restricting noise breakout from the A4 use to the flat above to levels complying with the following:
- o Bedrooms. Noise Rating Curve NR20 (2300 to 0700 hrs)
 - o Living Rooms. Noise Rating Curve NR25 (0700 to 2300 hrs)
- The Noise Rating Curve shall be measured as a 15 minute linear Leq at the octave band centre frequencies 31.5 Hz to 8 kHz.

Reason: In order to ensure an adequate level of amenity for nearby residents in accordance with policy EQ2 of the East Herts District Plan 2018.

14. Prior to the commencement of any commercial uses hereby permitted, a scheme containing full details of arrangements for internal air extraction, odour control, and discharge to atmosphere from cooking operations, including any external ducting and flues, shall be submitted to and approved in writing by the Local Planning Authority. The works detailed in the approved scheme shall be installed in their entirety before the use hereby permitted is commenced. The equipment shall thereafter be maintained in accordance with the manufacturer's instructions and operated at all times when cooking is being carried out unless otherwise agreed beforehand in writing with the local planning authority.

Reason: In order to ensure an adequate level of amenity for residents in accordance with policy EQ2 and EQ4 of the East Herts District Plan 2018.

15. Prior to the first occupation of any part of the development hereby permitted, a Delivery and Servicing Management Plan, as required in relation to the hotel, commercial units and residential units, shall be submitted to and approved in writing by the Local Planning Authority. The Delivery and Servicing Plan shall include restrictions on commercial delivery times to between 07.00hrs and 10.00hrs on all days to the riverside and pedestrianised retail area, vehicle tracking and contain the delivery and servicing requirements (including refuse collection) for the proposed uses, a scheme for coordinating deliveries and servicing for the proposed development, areas within the development site that will be used for the loading and manoeuvring of delivery and service vehicles and access to/from the site for delivery and servicing vehicles such plans. Once agreed the development shall be constructed to enable the agreed arrangements to be implemented and shall subsequently be operated as agreed.

Reason: In the interests of amenity of the public shopping area and to reduce conflict with users and to ensure an adequate level of amenity for nearby residents, in accordance with policy EQ2 of the East Herts District Plan 2018.

16. No fixed plant and/or machinery shall come into operation until details of the fixed plant and machinery serving the development hereby permitted and any mitigation measures to achieve this condition are submitted to and approved in writing by the Local Planning Authority. The rating level of the sound emitted from the site shall not

exceed 42 dBA between 07.00hrs and 23.00hrs and 34 dBA at all other times (inclusive of any penalty for tonal, impulsive or other distinctive acoustic characteristics when measured or calculated according to the provisions of BS4142:2014). The sound levels shall be determined by measurement or calculations at the nearest noise sensitive premises in Oddfellows Court, Bull Plain and Folly Island.

Reason: In order to ensure an adequate level of amenity for residents in accordance with policy EQ2 of the adopted East Herts District Plan 2018.

17. If percussion piling is considered to be the most appropriate method of foundation construction, then prior to commencement of development a justification statement detailing why percussion piling is the most appropriate method of foundation construction, and proposed degree of control measures having considered the proximity of the site to noise sensitive premises shall be submitted to and approved in writing by the Local Planning Authority. All piling works shall be carried out in accordance with the agreed details.

Reason: In the interests of the amenities of residents of neighbouring properties and in accordance with policies EQ2 and EQ4 of the East Herts District Plan 2018

18. Prior to the commencement of the development, a detailed Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority, the plan shall include the following:

- a) Construction vehicle numbers, type, routing,
- b) Traffic management requirements;
- c) The construction programme and phasing;
- d) Construction and storage compounds (including areas designated for car parking);
- e) Siting and details of wheel washing facilities;
- f) Cleaning of site entrances, site tracks and the adjacent public highway;
- g) Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
- h) Details of Hoarding;
- i) Hours of operation, delivery and storage of materials;
- j) Details of any highway works necessary to enable construction to take place;
- k) Parking and loading arrangements;
- l) Management of traffic to reduce congestion;
- m) Details of consultation and complaint management with local businesses and neighbours;
- n) Waste management proposals;
- o) Mechanisms to deal with environmental impacts such as noise and vibration, air quality and dust, light and odour;
- p) Details of any proposed piling operations, including justification for the proposed piling strategy, a vibration impact assessment and proposed control and mitigation measures.

All works shall be carried out in accordance with the approved CEMP thereafter.

Reason: In the interests of highway safety and the control of environmental impacts in order to ensure an adequate level of amenity for nearby residents in accordance with policies TRA2, EQ2 and EQ4 of the East Herts District Plan 2018

19. Notwithstanding the approved plans, no above ground development shall commence until a Delivery and Servicing Plan has been submitted to and approved in writing by the Local Planning Authority. The Delivery and Servicing Plan must contain the following:
- a) Details of a revised refuse tracking taking into account all existing and proposed street furniture and landscaping;
 - b) Plans showing removal of one of the disabled spaces in Bircherley Street, unless otherwise agreed in writing to show the arrangement works practically;
 - c) Details of the parcel pick-up/drop-off hub in the hotel's service yard;
 - d) Details of controlling access by delivery vans;
 - e) Details of managing and enforcing a potential one-way circulation route;
 - f) A scheme for coordinating deliveries and servicing for the proposed development;
 - g) Areas within the development site that will be used for loading and manoeuvring of delivery and servicing vehicles (including food deliveries);
 - h) Access to / from the site for delivery and servicing vehicles inclusive of any signage.

Reason: In the interests of maintaining highway efficiency and safety in accordance with policy TRA2 of the East Herts District Plan 2018.

20. Prior to the occupation/use of any part of the development hereby permitted, details of the siting, type and specification of Electric Vehicle Charging Points (EVCPs), the energy sources and the strategy/management plan for supply and maintenance of the 10 active EVCPs and the infrastructure that would enable further EVCPs to be provided in the future, shall be submitted to and approved in writing by the Local Planning Authority. The details should also include how the active spaces would be distributed to cater for residential and public use. All EVCPs shall be installed in accordance with the approved details prior to occupation of each of the units and permanently maintained and retained.

Reason: To ensure construction of a satisfactory development and to promote sustainable development in accordance with Policies 5, 19 and 20 of Hertfordshire's Local Transport Plan and policy DES4 of the East Herts District Plan 2018.

21. Prior to the commencement of any above ground works of the development hereby permitted, a Stage 1 Road Safety Audit is required for all access arrangements and any proposed mitigation measures required as a result of the Audit, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed access arrangements are safe and suitable for their intended use in accordance with policy TRA2 of the East Herts District Council 2018.

22. Prior to the first occupation of any part of the development hereby permitted a scheme for the parking of cycles, for both private and public spaces, including details of the design, level and siting of the proposed cycle provision shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.

Reason: To ensure the provision of adequate cycle parking that meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport in accordance with Policies 1, 5 and 8 of

Hertfordshire's Local Transport Plan (adopted 2018) and in accordance with policy TRA3 of the East Herts District Plan 2018.

23. Prior to the occupation of Block B, the 188 spaces within the retained multi-storey car park shall be provided, to include a minimum of 143 spaces which are to be made available for general public use and 40 spaces for private residential car parking and at least 5 bays available for car club use. The parking is to be managed in accordance with a Car Park Management Plan, to include car park charges, signs and enforcement for areas not within private ownership of future residents, which is to be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to retain adequate public parking for the benefit of the town centre in accordance with policy TRA3 of the East Herts District Plan 2018.

24. The windows of all the ground floor commercial units shall remain visually permeable and shall not be obscured by advertisements or security shutters.

Reason: To ensure the riverside and street elevations remain animated and the public spaces are overlooked, in the interests of appearance and securing a high quality development within the Hertford Conservation Area and in accordance with the provisions of the approved Hertford Town Centre Urban Design Strategy 2016 and policy DES4 of the East Herts District Plan 2018 and the NPPF.

25. All existing trees and hedges shall be retained, unless shown on the approved drawing 10480 TPP 01 Rev A (contained within the Arboricultural Impact Assessment May 2020, 10480_AIA 001 Rev A) as being removed. All trees and hedges 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 BS5837: 2012 Trees in relation to design, demolition and construction, or any subsequent relevant British Standard, 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 or hedging 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 or hedging 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 DES3 of the East Herts District Plan 2018.

26. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development Order), 2015 (As amended) the change of use of a building and any land within its curtilage from a use falling within Class A1(etail), A2 (financial and professional services) of the Schedule to the Use Classes Order, to a use falling within Class C3 (dwellinghouses) of that Schedule, as described in Schedule 2, Part 3, Class M of the Order shall not be undertaken without the prior written permission of the Local Planning Authority.

Reason: To ensure the Local Planning Authority retains control over any future development as specified in the condition in the interests of amenity and in accordance with policy DES4 of the East Herts District Plan 2018.

27. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development Order), 2015 (as amended) 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 on any part of the site or its boundaries shall not be undertaken without the prior written permission of the Local Planning Authority.

Reason: To ensure the Local Planning Authority retains control over any future development as specified in the condition in the interests of amenity and in accordance with policy DES4 of the East Herts District Plan 2018.

28. Details of any external lighting proposed, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any above ground works, and no external lighting shall be provided without such written consent. The development shall then be carried out in accordance with the approved details.

Reason: In the interests of the visual amenity of the area, and in accordance with policy EQ3 of the East Herts District Plan 2018.

29. The hotel restaurant/bar shall cease trading and be closed between 01:00hrs and 06:00hrs on all days.

Reason: In the interest of neighbour amenity and in accordance with Policies EQ2 of the East Herts District Plan 2018.

30. A scheme of sound insulation for the proposed hotel as shown on drawing number 19 0052-01 N, shall be submitted to and approved in writing by the Local Planning Authority. The recommendations in the sound insulation report shall be implemented in full prior to first occupation of the hotel and the scheme of measures shall be maintained thereafter.

Reason: In order to ensure an adequate level of amenity for residents in accordance with policy EQ2 of the adopted East Herts District Plan 2018.

31. No development of the hotel as shown on drawing number 19 0052-01 N, 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 work in accordance with a written scheme of investigation, which has been submitted to and agreed in writing by the Local Planning Authority. This condition will only be considered to be discharged when the planning authority has received and approved an archaeological report of all the required archaeological works, and provision for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: To secure the protection of and proper provision for any archaeological remains in accordance with Policies HA1 and HA3 of the East Herts District Plan 2018 and the National Planning Policy Framework.

32. Prior to the commencement of above ground works for the hotel as shown on drawing number 19 0052-01 N, a scheme providing for the insulation of the proposed dwellings against the transmission of noise and vibration, shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out

in accordance with the approved details and confirmed by a report of sound testing prior to the first occupation of dwellings.

Reason: In order to ensure an adequate level of amenity for residents of the hotel in accordance with policies DES4 and EQ2 of the East Herts District Plan 2018.

33. Prior to the occupation of the hotel as shown on drawing number 19 0052-01 N, a CCTV Plan shall be submitted to and agreed in writing by the Local Planning Authority, such plans to show the model, location, height and surveillance area of all CCTV cameras to be installed. The applicant shall also submit details setting out how the installed CCTV cameras are to be maintained and operated. Once agreed, the cameras will be installed and operated in full accordance with the approved CCTV Plan prior to the first occupation of any part of the building.

Reason: To ensure that security surveillance is effective and co-ordinated between services and to ensure that the safety and security of residents and visitors to the site is safeguarded in accordance with policy DES5 of the East Herts District Plan.

34. Any A3/A4 use shall be restricted to the ground floor frontages of units as defined on plan 19 0052-02 U.

Reason: In the interests of the vitality and viability of the town centre, having regard to the provisions of the Hertford Town Centre Urban Design Strategy and also with regard to the amenity of residents in the immediate vicinity of the site, in accordance with policies RTC1, HERT7 and DES4 of the East Herts District Plan 2018 and the NPPF.

35. Notwithstanding the approved plans, should a health facility occupy unit 9, further details shall be submitted to and approved in writing by the Local Planning Authority, showing details of any windows that are required to be obscured.

Reason: To ensure the riverside and street elevations remain animated and the public spaces are overlooked, in the interests of appearance and securing a high quality development within the Hertford Conservation Area and in accordance with the provisions of the approved Hertford Town Centre Urban Design Strategy 2016 and policy DES4 of the East Herts District Plan 2018 and the NPPF.

36. Prior to the commencement of any commercial uses hereby permitted use commencing in relation to Blocks A and B as shown on drawing number 19 0052-01 N, a scheme containing full details of arrangements for internal air extraction, odour control, and discharge to atmosphere from cooking operations, including any external ducting and flues, shall be submitted to and approved in writing by the local planning authority. The works detailed in the approved scheme shall be installed in their entirety before the use hereby permitted is commenced. The equipment shall thereafter be maintained in accordance with the manufacturer's instructions and operated at all times when cooking is being carried out unless otherwise agreed beforehand in writing with the Local Planning Authority.

Reason: In order to ensure an adequate level of amenity for residents in accordance with policy EQ2 and EQ4 of the East Herts District Plan 2018.

37. Prior to above ground works of Blocks A and B as shown on drawing number 19 0052-01 N, a scheme of sound insulation for the proposed residential units shall be submitted to and approved in writing by the Local Planning Authority. The

recommendations in the sound insulation report shall be implemented in full, prior to first occupation of the residential units. The scheme of measures shall be maintained thereafter.

Reason: In order to ensure an adequate level of amenity for nearby residents in accordance with policy EQ2 of the East Herts District Plan 2018.

38. Prior to the commencement of the development of Blocks A and B, (excluding demolition) as shown on plan 19 0052-01 N hereby permitted, full details of both hard and soft landscape proposals, shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:
- a) Riverside railings (if needed) and other means of enclosure;
 - b) Car parking layouts to show public and private residential areas spaces;
 - c) Hard surfacing materials including the approved palette of high quality materials;
 - d) Public seating, having regards to the provisions of the submitted Public Realm Strategy, to include feature benches (minimum 4) around riverside trees along the river frontage;
 - e) Any other street furniture (for example litter bins);
 - f) Proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines, etc. indicating lines, manholes, supports, etc.);
 - g) Planting plans;
 - h) Schedules of plants and trees, including details of tree pits, species, planting sizes and proposed numbers/densities where appropriate;
 - i) Mooring points;
 - j) Details of and locations of the bat and bird boxes to be within the site.

Thereafter the development shall be implemented in accordance with the approved details.

Reason: To ensure the provision of amenity afforded by appropriate landscape design and securing a high quality development and appearance of the development within the Hertford Conservation Area and in accordance with the provisions of the approved Hertford Town Centre Urban Design Strategy 2016 and policy DES4 of the East Herts District Plan 2018 and the NPPF.

39. All hard and soft landscape works shall be carried out in accordance with the approved details. 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 policies DES3 and DES4 of the East Herts District Plan 2018 and the NPPF.

40. Prior to the commencement of development of Blocks A and B, excluding demolition as shown on drawing number 19 0052-01 N, details of the design of building foundations and the layout, with positions, dimensions and levels, of (a) service trenches (b) ditches (c) drains (d) other excavations on site insofar as they may affect trees and hedgerows on or adjoining the site, shall be submitted to and approved in

writing by the Local Planning Authority and thereafter the development should be implemented in accordance with the approved details.

Reason: Details are required to be approved prior to the commencement of the development to ensure the protection of trees and hedgerows to be retained, and in particular to avoid damage to root systems in accordance with Policy DES3 of the East Herts District Plan 2018.

41. Prior to the first occupation of the residential units hereby approved, details of any communal television reception facilities proposed in connection with the development shall be submitted to and approved in writing by the Local Planning Authority and thereafter the development should be implemented in accordance with the approved details.

Reason: To prevent the proliferation of telecommunication facilities in the interests of amenity and good design in accordance with Policy DES4 of the East Herts District Plan 2018.

42. Details of provisions and a programme to market the use of the new civic space between Block A and the river frontage by public and other non-commercial organisations, including the frequency of events, not less than 12 dates in a calendar year unless otherwise agreed in writing, shall be provided to and approved in writing by the Local Planning Authority prior to the commencement of works to Block B. The space shall thereafter be marketed and made available in accordance with the approved details.

Reason: To ensure the optimal use of public space in the interests of the vitality and viability of the town centre, having regard to the provisions of the Hertford Town Centre Urban Design Strategy and also with regard to the amenity of residents in the immediate vicinity of the site, in accordance with policy DES4 of the East Herts District Plan 2018 and the NPPF.

43. Prior to the first occupation of any of the residential units hereby permitted, details shall be submitted to and approved in writing by the Local Planning Authority setting out the allocation of the parking spaces to the residential units, car club spaces and the details shall also make clear if any allocation of parking spaces will be made to the health care facility. Once approved, the parking space allocation shall be implemented and retained as such.

Reason: To ensure clarity with regard to the allocation of spaces in accordance with policy TRA3 of the East Herts District Plan 2018.

44. Prior to the occupation of any part of Blocks A and B as shown on drawing number 19 0052-01 N, a CCTV Plan shall be submitted to and agreed in writing by the Local Planning Authority, such plans to show the model, location, height and surveillance area of all CCTV cameras to be installed. The applicant shall also submit details setting out how the installed CCTV cameras are to be maintained and operated. Once agreed, the cameras will be installed and operated in full accordance with the approved CCTV Plan prior to the first occupation of any building in that Phase.

Reason: To ensure that security surveillance is effective and co-ordinated between services and to ensure that the safety and security of residents and visitors to the site is safeguarded in accordance with policy DES5 of the East Herts District Plan.

45. No development or groundworks shall take place within the proposed development site for Blocks A and B as shown on drawing number 19 0052-01 N, until the applicant, or their agents, or their successors in title, 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. The development shall thereafter be carried out in accordance with the approved scheme. This condition will only be considered to be discharged when the planning authority has received and approved an archaeological report of all the required archaeological works, and provision for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: To secure the protection of and proper provision for any archaeological remains in accordance with policy HA3 of the East Herts District Plan 2018 and the National Planning Policy Framework.

46. Prior to the commencement of works to Block A and B, (excluding demolition works) as shown on drawing number 19 0052-01 N, details of the refurbished public toilet facilities, their opening hours and the cleaning and maintenance regimes shall be submitted to and approved in writing by the Local Planning Authority. The facilities shall thereafter be operated, maintained and be made available in accordance with the approved details.

Reason: In the interests of delivering good quality public conveniences as part of the development in accordance with policy DES4 of the East Herts District Plan 2018.

47. Prior to the commencement of works to Block B, (excluding demolition works) details of the bus station facilities to be provided as shown on plan 19 0052-02 U, shall be submitted to and approved in writing by the Local Planning Authority. These details shall include, their opening hours, cleaning and maintenance regimes, information demonstrating the ability for a Real Time Passenger Information system (RTPI) to be installed. The facilities shall be made available for public use and brought into operation on first occupation of Block B. The facilities shall thereafter be maintained and be made available in accordance with the approved details.

Reason: In the interests of delivering good quality public conveniences as part of the development in accordance with policy DES4 of the East Herts District Plan 2018.

48. Prior to the commencement of development for Blocks A and B, as shown on drawing number 19 0052-01 N, a Site Waste Management Plan, as required in relation to each phase of the development, shall be submitted to and approved in writing by the local planning authority. The Plan shall provide details 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. Once agreed, the measures shall be implemented in accordance with the approved Plan. The demolition work shall proceed in accordance with the provisions of the approved Site Waste Management Plan.

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

49. Prior to the commencement of above ground works for Blocks A and B as shown on drawing number 19 0052-01 N, a scheme providing for the insulation of the proposed dwellings against the transmission of noise and vibration, shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and confirmed by a report of sound testing prior to the first occupation of dwellings.

Reason: In order to ensure an adequate level of amenity for residents of the new dwellings in accordance with policies DES4 and EQ2 of the East Herts District Plan 2018.

50. No fixed plant and/or machinery shall come into operation for Blocks A and B as shown on drawing number 19 0052-01 N, until details of the fixed plant and machinery serving that phase of the development hereby permitted, and any mitigation measures to achieve this condition, are submitted to and approved in writing by the Local Planning Authority. The rating level of the sound emitted from the site shall not exceed 43 dBA between 0700 and 2300 hours and 39 dBA at all other times. The sound levels shall be determined by measurement or calculation at the nearest existing noise sensitive premises in Oddfellows Court, Bull Plain and Folly Island. The measurements and assessment shall be made according to BS 4142:2014.

Reason: To protect the residential amenity of existing and any future occupiers in accordance with policy EQ2 of the East Herts District Plan 2018.

51. Odour equipment shall be installed to effectively suppress and disperse fumes and/or odours produced by cooking and food preparation at commercial food premises, and the equipment shall be effectively operated for so long as the commercial food use continues. Full details of the method of odour abatement and all odour abatement equipment to be used, including predicted noise levels of the equipment in operation in each Phase of the Development, shall be submitted to and approved by the Local Planning Authority prior to the installation of the equipment in that Phase of the Development. The approved equipment shall be installed and in full working order to the satisfaction of the Local Planning Authority prior to the use hereby permitted commencing under each Phase.

Reason: In order to prevent the adverse impact of odours arising from cooking activities on the amenity of nearby residents and in accordance with Policy EQ2 of the East Herts District Plan 2018.

52. Prior to the occupation of the development, measures to implement the approved Sustainability Statement and Energy Strategy (Whitecode Design Associates, 10772-S-ENER-0001, Revision 2, May 2020) shall be submitted to and agreed in writing by the Local Planning Authority. Once agreed, the measures shall be implemented as such, retained and the development operated accordingly.

Reason: In order to ensure the development meets local and national objectives in respect of climate change in accordance with policies CC1 and CC2 of the East Herts District Plan 2018.

53. Prior to above ground works of Blocks A and B as shown on drawing number 19 0052-01 N, details showing how the solar panel frames will be screened shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of appearance and securing a high quality development within the Hertford Conservation Area and in accordance with policy DES4 of the East Herts District Plan 2018 and the NPPF.

54. Prior to the first occupation of the residential units, measures shall be incorporated within the development to ensure that a water efficiency standard of 110 litres (or less) per person per day is achieved.

Reason: The Environment Agency has identified this area to be particularly water stressed and a reduction in water usage and increased water efficiency are necessary in accordance with Policy WAT4 of the District Plan 2018.

55. Prior to the commencement of development, (excluding demolition) details of the measures to facilitate the provision of high speed broadband internet connections to the development shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include a timetable and method of delivery for high speed broadband for each residential and commercial unit. Once approved, high speed broadband infrastructure shall be implemented thereafter in accordance with the approved details and made available for use prior to first occupation of the residential and commercial to which it relates.

Reason: In order to ensure the provision of appropriate infrastructure to support the future sustainability of the development in accordance with policy DES4 of the East Herts District Plan 2018.

56. Prior to the first occupation or any use hereby permitted, a Travel Plan for the residential and commercial developments, consisting of a written agreement setting out a scheme to encourage, regulate, and green travel measures for owners, occupiers, and visitors to the Development in accordance with the provisions of the County Councils Travel Plan Guidance for Business and Residential Development, shall be submitted to and approved in writing by the Local Planning Authority. Prior to the first occupation, the agreed Travel Plan for that phase, shall be implemented in accordance with the approved details.

Reason: To promote the use of non-car modes of transport in accordance with Policy TRA1 of East Herts District Plan 2018.

Informatives:

1. During the demolition and construction phase the guidance in BS5228-1:2009 (Code of Practice for noise Control on construction and open sites) should be adhered to.
2. Prior to the commencement of demolition of the existing building, a survey should be undertaken in order to identify the presence of asbestos containing materials. Any asbestos containing materials should be handled and disposed of appropriately. Where necessary this should include the use of licensed contractors and waste disposal sites licensed to receive asbestos.
3. A premises Licence will be required for A3 / A4 uses. The Applicant is advised to contact Community.Protection@eastherts.gov.uk regarding applying for Licences.
4. Bats and their roosts are protected at all times under domestic and European law. To reduce the risk of an offence, work should proceed with caution. In the event of bats

or evidence of them being found, work must stop immediately and advice taken on how to proceed lawfully from an appropriately qualified and experienced ecologist or Natural England.

5. In order to protect breeding birds, their nests, eggs and young, demolition should only be carried out during the period October to February inclusive. If this is not possible, then a pre-development (ie no greater than 48 hours before demolition begins) search of the building should be made by a suitably experienced ecologist. If active nests are found, then works must be delayed until the juvenile birds have left the nest and are fully independent or professional ecological advice taken on how best to proceed.
6. The construction works and operation of the proposed development site should be done in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the groundwater pollution risk.
7. The proposed development is located within 15 metres of Thames Waters underground assets and as such, the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB
8. Storage of materials: 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 <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.
9. Obstruction of public highway land: 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 <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.
10. Road Deposits: 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

<http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

11. Construction standards for works within the highway: 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 "Road" in Hertfordshire - Highway Design Guide (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 <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.
12. The development will involve the numbering of properties and naming of new streets. The applicant MUST consult the Director of Internal Services. Application for this purpose should be made to the Local Land and Property Gazetteer Custodian, East Herts Council, Wallfields, Pegs Lane, Hertford, SG13 8EQ. Tel: 01279 655261.
13. 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.
14. This planning permission is also subject to a Planning Obligation under S106 of the Town and Country Planning Act 1990 (as amended).
15. Notwithstanding the approved plans, all adverts require advert consent.
0. East Herts Council has considered the applicant's proposal in a positive and proactive manner with regard to the policies of the Development Plan and any relevant material considerations. The balance of the considerations is that permission should be granted.

This Decision Relates to Plan Numbers:

- 19 0052-01 N (Layout)
- 19 0052-02 U (Floor Plans - Proposed)
- 19 0052-03 I (Floor Plans - Proposed)
- 19 0052-04 K (Floor Plans - Proposed)
- 19 0052-101 E (Floor Plans - Proposed)
- 19 0052-102 E (Floor Plans - Proposed)
- 19 0052-103 D (Floor Plans - Proposed)
- 19 0052-104 D (Floor Plans - Proposed)
- 19 0052-19 B (Other)
- 19 0052-21 D (Roof Plan)
- 19 0052-05 P (Elevations - Proposed)
- 19 0052-07 N (Elevations - Proposed)
- 19 0052-18 F (Elevations - Proposed)
- 19 0052-23 D (Section Details)
- 19 0052-06 P (Elevations - Proposed)
- 19 0052-68 A (Other)
- 19 0052-105 G (Elevations - Proposed)

19 0052-106 F (Elevations - Proposed)
19 0052-107 E (Elevations - Proposed)
19 0052-09 C (Location and Site Plan)
19 0052-66 (Other)
19 0052-16 B (Other)
19 0052-501A (Other)
20 0052-502 (Other)
20 0052-503 (Other)
20 0052-504 (Other)
19 0052-67 (Other)
19 0052-60 (Floor plans - Existing and Proposed)
19 0052-61 (Floor plans - Existing and Proposed)
19 0052-62 (Elevations - Existing)
19 0052-63 (Elevations - Existing)

Yours faithfully

On Behalf Of Development Management

East Herts Council
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