



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

Brady Mallalieu Architects LLP
90, Queens Drive
London
N4 2HW

App no: 3/06/0314/FP
COTTERED

**Erection of 8 no elderly persons (defined as being over 50 years of age) dwellings with associated car parking, garages and landscape.
Land at, Stocking Hill Lane, Cottered, HERTS**

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 PERMISSION SUBJECT TO CONDITIONS, as undermentioned:-

for the development proposed in your application dated 14 February 2006 and received with sufficient particulars on 16 February 2006 and shown on the plans ~~as submitted~~ as amended accompanying such application.

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. ✓ 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 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
3. The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans, drawings and specifications unless otherwise agreed in writing by the Local Planning Authority.
Reason
To ensure the development is carried out strictly in accordance with the approved plans, drawings and specifications.



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4. ~~Prior~~ to any building works being commenced, the external materials of construction for the building hereby permitted shall be approved in writing by the Local Planning Authority.

Reason

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

5. 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 flank elevations of the development hereby permitted without the written permission of the Local Planning Authority.

Reason

To safeguard the privacy of occupiers of the adjoining properties, in accordance with Policy BE5 and Appendix 1(D) of the East Herts Local Plan.

6. ~~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 and E and Part 2 Class A 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.

7. ~~Prior~~ to the commencement of the development hereby permitted all materials to be used for hard surfaced areas within the site including roads, driveways and car parking areas shall be approved in writing by the Local Planning Authority

Reason

To ensure that the development does not detract from the appearance of the locality, and in accordance with Appendix 1(D) of the East Herts Local Plan.

8. Prior to the first occupation of the development hereby permitted space shall be provided within the application site as shown on the plan(s) accompanying the application to enable vehicles visiting the premises to stand clear of the highway.

Reason

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

9. Notwithstanding any of the provisions of the Town and Country Planning (General Permitted Development) Order 1995 the areas shown for parking shall be retained for such use.

Reason

To ensure that adequate parking provision is retained at all times, in accordance with policy M8 and Appendix IV of the East Herts Local Plan.

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



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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.

11. 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.

12. 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 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.

13. 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) Proposed finished levels or contours (b) Means of enclosure (c) Car parking layouts (d) Other vehicle and pedestrian access and circulation areas (e) Hard surfacing materials (f) Minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting) (g) Proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines, etc. indicating lines, manholes, supports, etc.) (h) Retained historic landscape features and proposals for



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restoration, where relevant (i) Planting plans (j) Written specifications (including cultivation and other operations associated with plant and grass establishment) (k) Schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate (l) Implementation timetables

Reason

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

14. 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 ENV2 of the East Herts Local Plan Second Review April 2007.

15. Notwithstanding the provisions of the Town & Country Planning General Permitted Development Order 1995, the areas shown for landscaping on the plans approved hereby shall be retained and maintained as open landscaping, and shall not be developed enclosed or used in any way that is detrimental to that character.

Reason

To ensure the continuity of amenity value afforded by the approved landscaping, in accordance with policy BE8 of the East Herts Local Plan.

16. None of the development hereby permitted shall be occupied until the access road (Stocking Hill) from the application site to the junction with the A507, has properly been consolidated and surfaced in accordance with a detailed specification to be previously agreed in writing by the Local Planning Authority.

Reason

In the interests of highway safety and in accordance with Appendix 1 (D) of the East Herts Local Plan.

17. Prior to the first occupation of the development details of the means of removing refuse from the site and its disposal shall be submitted to and approved in writing by the Local Planning Authority.

Reason



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

Directive/s

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 eg. 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 granting of this permission does not convey or imply any consent to build upon land not within the ownership of the applicant, without the approval of the landowner.
3. This planning permission is also subject to a Planning Obligation under S106 of the Town and Country Planning Act 1990 (as amended).
4. This planning permission gives no entitlement to affect the public rights of way on the application site. Any diversion, extinguishment or creation of a public right of way needs its own legal authority before any works affecting the right of way can be commenced. Applications for this purpose should be made to Democratic Services, Council Offices, The Causeway, Bishops Stortford CM23 2EN. Telephone number 01279 655261.
5. Attention is drawn to the status of the access road which is a RUPP (Road Used as a Public Path). This route must be kept free of obstruction at all times, and measures should be taken to ensure the safety of pedestrians and horse riders during the course of works.

This decision relates to Plan Numbers

351PA 00B, 01D, 02C, 03C, 04A, 05C, 06B, 07B, 08C, 09C, 10B, 11B, 12A, DO232 01A, 02, Location plan & photos X 5, Location Plan 1:1250, letter rcd 6/6/06

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and East Herts Local Plan and the Local Plan Second Review Re-Deposit Version, November 2004), and in particular policies RA3, RA11, BE2, M8 and M11 and Re-Deposit policies GBC5, GBC6, GBC16b and TR21. The development proposed does not comply with the above Structure or Local Plan policies. However it is of material consideration that there is an extant planning permission on the site for residential



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development (LPA Ref 3/02//0696). The proposed development will not result in an unacceptable incursion into the countryside nor will it be harmful to the rural character of the area. Therefore on the balance of consideration permission should be granted.

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

Dated: 23 August 2007

Signed:

A handwritten signature in black ink, appearing to read "S. Downs".

Stuart Downs

SEE ATTACHED NOTES