

DEVELOPMENT MANAGEMENT COMMITTEE – 15 JUNE 2022

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| Application Number | 3/21/1576/OUT |
| Proposal | Demolition of existing buildings and redevelopment of site to create up to 20,590sqm of commercial development in use classes E (g), B2 and B8 (outline application with all matters reserved except for access). |
| Location | Silkmead Farm Industrial Estate, Hare Street, Hertfordshire, SG9 0DX |
| Parish | Anstey Parish Council |
| Ward | Braughing |

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| Date of Registration of Application | 1 July 2021 |
| Target Determination Date | 30 September 2021 |
| Reason for Committee Report | Major application |
| Case Officer | Femi Nwanze |

RECOMMENDATION

That *outline* planning permission is **GRANTED**, subject the conditions set out at the end of this report and subject to a Section 106 legal agreement.

That delegated Authority is granted to the Head of Planning and Building Control to finalise the detail of the Legal Agreement and conditions and to refuse the application in the event a legal agreement is not completed to the Council's satisfaction following the committee's decision.

1.0 Summary of Proposal and Main Issues

- 1.1 This application seeks outline planning permission for the erection of employment floorspace up to 20,590 sq metres falling within use classes E (g), B2 and B8 together with associated access, landscaping, and infrastructure works. All matters are reserved (for future consideration) at this stage, other than the proposed access arrangements for the site which have been submitted in detail.

- 1.2 The quantum of development proposed has been reduced from its initial proposal of up to 25,000 sq. metres to 20,590 sq. metres during the course of the application.
- 1.3 This site is situated within the rural area beyond the Green Belt and lies 1km north of the village of Hare Street and 3.2 km east of the settlement of Buntingford. Access to the site is obtained from the B1368. The site is designated as an employment area in the East Herts District Plan 2018.
- 1.4 Policies DPS1, DPS2, GBR2, ED1 and VILL4 of the East Herts District Plan 2018 are applicable to the consideration of the principle of the proposed development.
- 1.5 The main considerations in the determination of the application are:
 - Principle of development;
 - Layout, design, and visual and landscape impact;
 - Impact on the neighbour amenity;
 - Highway impact;
 - Trees and Ecology;
 - Flood risk and sustainable drainage;
 - Energy and Sustainability;
 - Infrastructure delivery.
- 1.6 The main issue for consideration is whether or not the proposed quantum and type of development proposed is appropriate at this site; and in particular whether or not the proposed access arrangements are acceptable having regard to the nature of the planning permission sought and the policies in the East Herts District Plan 2018, and the National Planning Policy Framework 2021.
- 1.7 The application does not require screening under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 as amended (EIA) as it has been determined that the proposed

development does not exceed the relevant threshold (which is 20ha for a development of this nature).

2.0 Site Description

- 2.1 The site comprises of brownfield and open land of approximately 7.9 hectares in area. The site inclines towards the west and falls to the east. A ditch is situated at the front of the site (southern boundary). The site contains a number of low – medium rise shed structures which are set within a site that is heavily landscaped with trees, shrubs, hedges and other landscape features to restrict views into and out of the site. The site is located within a predominantly rural area; surrounded by agricultural/equestrian land although there are residential properties on the eastern boundary of the site.
- 2.2 The site is not located in a Conservation Area and there are no trees on the site that are protected by a Tree Preservation Order.

3.0 Planning History

- 3.1 There is no recent planning history relating to this site.

4.0 Main Policy Issues

- 4.1 The main policy issues relate to the relevant planning policies in the East Herts District Plan 2018, and the National Planning Policy Framework 2021 (NPPF) as set out below.

| Key Issue | NPPF | District Plan |
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| Principle of development | Chapters 6 and 11 | INT1,DPS1 DPS2 , GBR2 VILL4, ED1,ED2 |
| Design and visual impact | Chapters 8, 11 and 12 | DES1,DES2, DES3,DES4, , , |
| Impact on neighbour amenity | Section 12 Section 4 | DES4 , EQ2, EQ3, EQ4 |
| Highway impacts | Chapter 9 | TRA1,TRA2,TRA3 |
| Trees and Ecology | Chapter 15 | DES2 ,NE2,NE3 NE4 |
| Flood risk management and sustainable drainage | Chapter 14 | WAT1, WAT 4 WAT5,WAT6, |
| Energy and Sustainability | Chapter 14 | CC1,CC2 WAT4 |
| Overall sustainability | Section 2 | Chapter 1 INT1 DEL1 |

Other relevant issues are referred to in the '*Consideration of Relevant Issues*' section below.

5.0 **Summary of Consultee Responses**

- 5.1 Councillor Goodeve: would not want to see B8 use on this site if this were to be a distribution facility. It is important to create an ecosystem of businesses that feed off one another in the area. Opportunity to create quality jobs must not be missed.
- 5.2 EHDC Conservation and Urban Design: notes that a tree survey has been provided which indicates that most of the existing trees are healthy. Most of the existing peripheral trees are just outside the site boundary. The updated parameter plan shows wider margins to the perimeter of the site and the possibility for effective buffer tree planting, which is welcomed. Detailed designs and specifically landscape proposals will need to be carefully considered at the

reserved matters stage to manage and achieve the required screening.

- 5.3 Compared to the previous scheme, the updated proposal with the wider peripheral landscape buffers are considered to have a reduced impact on the rural character. The landscape and visual impact assessment bases its conclusions on a number of principles which should be adhered to at reserved matters stage and secured by condition.
- 5.4 EHDC Environmental Health (Air and Land): No objection - A phase 1 Geo – environmental Desk Study Report and a Ground Investigation report has been submitted with the application. The findings of the assessments are generally acceptable for the intended commercial /industrial use. Consideration should be given to undertaking a more detailed gas risk assessment if future development is proposed; any changes to the proposals may require a re-interpretation of the report.
- 5.5 EHDC Environmental Health (Noise): No objection – they note that an Acoustic Assessment report has been submitted and are satisfied that the proposed development could be implemented without causing a significant adverse impact on the amenity of the occupants of nearby residential properties, subject to a scheme of appropriate noise mitigation measures being implemented as part of the overall development.
- 5.6 EHDC Environmental Services: No objection subject to conditions.
- 5.7 EHDC Landscape: No objection - The site is within LCA145 of the Landscape Character Assessment SPD – Quin Valley, and Silkmead Farm is one of the detracting features within the area, and an opportunity to improve the site now presents itself.
- 5.8 The Strategy and Guidelines for managing change advises to ensure new planting is encouraged within the area. The site also abuts LCA143 – Wyddial Plateau - and the Strategy and Guidelines for managing change within this area advises to ensure that the

surroundings of converted and new buildings are designed and maintained to be in keeping with their surroundings - by ensuring that new structures are obscured from view where possible and native species used for hedging and tree planting to the perimeter.

- 5.9 The Landscape Visual Impact Assessment states that "the layout submitted is purely indicative and is there to demonstrate that the proposed scale of floor space can be delivered while meeting parking and turning requirements" and that this is an outline application and that the full design details are not known.
- 5.10 The principles proposed by the applicant are appropriate for the location but need to be translated into the layout and incorporated into the full application if/when submitted.
- 5.11 At this stage biodiversity net gain has not been demonstrated, Defra biodiversity metric has not been used. A reduced scheme in terms of the built form that incorporates more significant landscape proposals is required.
- 5.12 There is some symbolic tree planting within the indicative layout, although no associated soft landscape provision such as grass surrounds to accommodate tree planting.
- 5.13 Overall therefore, an indicative layout that is symptomatic of overdevelopment of the site. No objection is raised to the proposed access arrangements, but the proposed indicative layout is not currently acceptable.
- 5.14 Environment Agency: advises that they have no comments to make regarding the proposed development. They have suggested an informative regarding the need for a Flood Risk Activity Permit.
- 5.15 HCC Fire and Rescue Service: request a condition for the installation of fire hydrants by the developer at no cost to the Fire and Rescue Service or the County Council.

- 5.16 HCC Growth and Infrastructure: Planning Obligations should only be sought for residential developments that are major development, which is defined in the National Planning Policy Framework as development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more. Therefore we will not be seeking financial contributions.
- 5.17 HCC Highway Authority: No objection subject to conditions and a legal agreement.
- 5.18 HCC Lead Local Flood Authority: consider that there is currently insufficient information to provide an assessment. Request that details on how surface water from the development is to be managed is provided: - confirmation of a feasible discharge location, management of existing surface water flow path and provision of half drain down times.
- 5.19 HCC Minerals and Waste: raise no objection to the proposals subject to the provision of a Site Waste Management Plan (SWMP) in accordance with the Hertfordshire County Council Waste Core Strategy and Development Management Policies Development Plan Document 2012.
- 5.20 The County Council notes that the Ground Investigation report recommends no further action in relation to contamination. However, notes that their records show a small area of historic landfill within the site (EAHLD34128).
- 5.21 Affinity Water: raise no objection but advise that the application site is located within a Source Protection Zone (SPZ), construction works and operation should accord with relevant British Standards and best management practices to reduce groundwater pollution risk. Any excavations below the ground water table should be avoided. If these are necessary a ground investigation should be first be carried out to identify appropriate techniques and to avoid displacing shallow contamination to a greater depth, which could impact the chalk aquifer. Water efficiency fixtures and fittings should be used in the development as the site is within a water

stressed area.

- 5.22 Herts and Middlesex Wildlife Trust: Objects to the application as measurable biodiversity net gain has not been demonstrated, the DEFRA biodiversity metric has not been used. The application is not compliant with the East Herts District Plan or the NPPF.
- 5.23 North East Herts Swift Group: Requests that 20 integrated swift bricks, integrated bat bricks and 5 bug hotels recommended in the ecological appraisal are secured by condition.
- 5.24 Thames Water: advises that with regard to surface water drainage, no objection is raised if the developer follows the sequential approach to the disposal of surface water. They have suggested an informative to address ground water discharges into the public sewer. Thames Water has advised that they have been unable to determine the waste water infrastructure needs of this application and as such request that this matter is addressed by a pre – occupation condition.

(Note: EHDC, East Herts District Council; HCC, Hertfordshire County Council)

6.0 Town/Parish Council Representations

- 6.1 Anstey Parish Council: No objection.
- 6.2 Hornmead Parish Council: Large scale commercial development is unacceptable in this rural location. Silkmead Industrial Park is identified in Policy VILL4 as a village employment area for Hare Street which is a Group 2 Village. The policy acknowledges that small scale employment development can enhance the vitality of the villages in rural areas, but that the proposals must be of a scale suitable for the location.
- 6.3 The policy clearly states that larger proposals may be considered acceptable in Group 1 villages, but "only very small-scale developments are likely to be acceptable in Group 2 Villages." This proposal is far from "very small scale" as it proposes to increase the

commercial footprint by approximately 200,000 square feet and quadruple its current footprint.

- 6.4 The B1368 is not capable of taking the additional commercial traffic which is likely to be upward of 100 additional lorry movements per day through the villages along the B1368.
- 6.5 There will be an unacceptable impact upon the amenity of residents of Braughing, Hay Street, Dassels, Hare Street, Barkway, and Barley. All of these villages are historic and have developed as linear villages along the B1368 with multiple listed buildings that face directly onto the street. It is not acceptable for these villages, their residents, and the heritage assets to be blighted by this proposed level of commercial traffic.

7.0 Summary of Other Representations

- 7.1 44 neighbouring properties have been consulted by letter. 199 responses have been received objecting to the proposals on the following grounds:
 - Lack of consultation on this application and on the content of the EHDC District Plan;
 - Development will result in loss of Green Belt land and grazing land; green space and countryside should be preserved – not industrialised;
 - Development would have an adverse impact on neighbouring residential property on grounds of the scale of the development , noise pollution, increase in HGV movements with no alteration to site access, air pollution, overlooking/loss of privacy;
 - Existing access arrangements to the site do not start in front of Cherry Tree House, but the proposed access would – making it a hot spot for noise and pollution;
 - Overshadowing and light pollution of property and land to the north of the application site;
 - Development is inappropriate for this rural location - it will affect Buntingford, Hare Street and the surrounding villages

including Braughing, Dassels, Hay street, Barkway, Barley, Brent Pelham and Great Hormead;

- Precedent set by refusal of planning application 3/17/2877/FUL for 2 houses – due to site being outside the village of Hare Street and future residents likely to be dependent on private cars to access services and facilities;
- The policy acknowledges that small scale employment can enhance the vitality of villages in rural areas but that larger proposals are considered acceptable in Group 1 Villages – only very small scale development are acceptable in Group 2 villages;
- Proposal is contrary to Policy VILL4 which states that only small scale developments are acceptable in Group 2 villages;
- Object to more construction in the area - there has already been so much development in the area – there is no requirement for more. Buntingford already has two large industrial sites serving the town and surrounding area. The industrial estate at Buntingford is half occupied;
- Unnecessary development as there are plenty of vacant industrial sites and town and city brownfield sites across the country that can be used. This development is not required for the local economy. The site will eventually be dis-used;
- Additional units are not required in this location – there are people illegally living in these units and undertaking illegal activities there at night;
- Proposal results in a huge increase in building footprint with a distribution centre proposed- it should be sited near a motorway;
- There is not and never can be due to the nature of the locality, sufficient infrastructure to support such a large and uniquely industrial development and increase in volume of traffic;
- There is no regular public transport that is within safe reach of the site;
- Increase in size of units will lead to an increase in noise from the use of larger machinery and plant, noise from more vehicles entering /leaving the site;
- The size of the industrial unit does not need to increase – it just needs to be updated. The property is adjacent to horse stables

and additional noise coming from larger units closer to the horses may lead to the closure of the stables;

- Boundary dispute with neighbouring property has led to the erection of a fence over the neighbouring ditch and localised flooding which cannot be seen at night;
- Development should take place in an area with suitable infrastructure – not on small village roads;
- Increase in size of units will lead in increase in the number of commercial vehicles – a situation that would be exacerbated if any of the units were to be used for distribution purposes;
- There is no legal HGV turnaround point in case drivers miss the access point;
- There are no local amenities for the proposed workers – this will lead to an increase in vehicle movements during the day;
- Industrial use should be close to the supporting workforce.
- Any increase in jobs created will be offset by the impact on quality of life for residents- damage to health and environment;
- The B1368 is not wide or sturdy enough for HGV lorry movements and not capable of taking the additional commercial traffic – there are two bridle paths which cross the B1368 within 100 m of the entrance of the Silkmead Industrial Estate- speed limit is not adhered to and additional traffic entering and existing the site will make it unsafe for other road users (cyclists, pedestrians , equestrians) and increase noise, vibration and pollution;
- Existing site entrance is dangerous and there is no ability to park, load or turn in this area of the B1368;
- Transport report refers to the 'A1368' – but this is not an 'A road' – it is a 'B road';
- Revised access point is not designed to accommodate two way traffic flows so there will be HGV's idling on the narrow access road;
- Increasing traffic movements without substantially improving road safety would put lives at risk;
- Villages roads not designed for HGV traffic -will lead to congestion, and pavements are not suitable for walking as many cars are illegally parked on pavements;

- Equalities considerations: age disability or health challenged will only be able to access the site by car in this rural location;
- Noise and road impact assessments were completed in the 'lockdown' and are not reflective of typical activity/road usage;
- Closure of Anstey Quarry was beneficial to local amenity – this proposal will result in a return to constant vibration;
- Significant additional traffic will increase run – off into the River Quin (a chalk stream) and decrease habitat and biodiversity;
- Development will put a strain on water supply;
- Air pollution from additional traffic;
- There is already too much development in this area;
- Development is too large, affects local businesses running from the site, affects local wildlife;
- Proposal affects wildlife – bats , badgers, rabbits, deer, foxes, horses etc;
- Whilst the site is recognised as an employment area this should be limited to small extension of the site for Class E (g) and B2 use only - the village roads are not suitable for an increase in Class B8 related traffic and the proposal is not small;
- Developer claims 21% of workers will arrive by foot. The nearest village is 1 mile away along an unlit road with no footpath – this must call into question the validity of the submitted documents. When Anstey Quarry was active there was noise , danger and congestion on the roads and vibration affecting local historic buildings – there is no desire to return to that;
- There is no bus stop at the bottom of Lincoln Hill as stated in the application and walking any stretch of the B1368 with speeding vehicles, no lighting or pathway is a danger to human life;
- The current units are small and only occupied by 2 or 3 occupants. The proposed (total) number of units is approximately 50% smaller but has a greater floorspace – leading to increased manufacturing, greater occupancy and increased lorry movements with larger vehicles;
- Proposal now includes a mobility hub but there is no indication of what this structure will look like.

8.0 Consideration of Issues

Principle

- 8.1 Policy DPS1 (Housing, Employment and Retail Growth) of the East Herts District Plan states that the Council will maximise opportunities for jobs growth, with the aim of achieving a minimum of 10,800 new jobs in the District during the plan period. This will include making provision for 19 – 20 hectares of new employment land for B1/B2/B8 uses.
- 8.2 Policy DPS2 (The Development Strategy 2011-2033) outlines that the strategy of the Plan is to deliver sustainable development in accordance with a hierarchy of sites.
- 8.3 Paragraph 85 of the National Planning Policy Framework actively supports and recognises that in rural locations, in order to support a prosperous rural economy, sites may have to be found adjacent to, or beyond existing settlements and in locations that are not well served by public transport.
- 8.4 The application site is 7.9 ha in area and comprises of brownfield land which is known as Silkmead Farm Industrial Estate. The site currently provides approximately 6000sq. metres of employment floorspace in a series of low rise chicken sheds/buildings of varying condition that are set in a verdant landscape.
- 8.5 Policy ED2 of the East Herts District Plan states that in order to support sustainable economic growth in rural areas and to prevent the loss of vital sources of rural employment, proposals that create new employment generating uses or support sustainable growth and expansion of existing businesses in the rural area will be supported in principle, where they are appropriately and sustainably located and do not conflict with other policies in the plan.
- 8.6 Silkmead Farm Industrial Estate is designated as an Employment

Area in the East Herts District Plan under Policy ED1 (Employment) and specifically a 'Village' Employment Area under Policy VILL4 (Village Employment Areas); it is also identified in the Plan as being located within a 'Group 2' Village. Policy VILL4 outlines the important role that employment areas in the rural locations provide in ensuring that accessible and affordable employment and business opportunities are provided.

- 8.7 The proposals include an increase in built form at this site; providing commercial development in use classes E (g), B2 and B8 for up to 20,590sqm. Officers acknowledge this would constitute a large uplift on the existing floorspace provision. Whilst the supporting text to Policy VILL4 references that only small scale proposals are likely to be acceptable in Group 2 villages, it does not preclude larger proposals.
- 8.8 The adopted Policies Map that forms part of the District Plan defines the extent of the designated Employment Areas in the District. This allows for expansion of the Silkmead Industrial Estate onto parts of the site that are currently undeveloped. Whilst this should not necessarily result in 100% site coverage of this area, it does indicate there is scope to increase the current on-site employment provision in this location.
- 8.9 Policy ED2 supports the expansion of existing employment sites, subject to being sustainably located and not conflicting with other policies in the plan.
- 8.10 The principle of expanding the employment floorspace provision on site is therefore considered to be acceptable in principle; subject to further detailed consideration below to ensure that the development is sensitive to its locational surrounds, does not have an unacceptable impact on the highway network, seeks to improve the sustainability of the site and that the general amenity of the occupants of surrounding properties are not unduly harmed.

Design and visual impact

- 8.11 The application site is located off the B1368; at the rear of 2

residential properties that are on the eastern boundary of the site and which shield its view from the road frontage. To the north and west of the site is agricultural land and to the south is a livery yard and land that is in equestrian use. The site sits within an area that is varied in height; with a raised height towards the west and which is verdant in nature; with varied landscaped features including substantial trees, hedging, fencing and earth bunds.

- 8.12 Matters regarding the overall layout, scale appearance and landscaping of the proposal will be the subject of detailed consideration at the reserved matters stage when detailed plans covering these aspects of the scheme will be submitted and considered.
- 8.13 However in order to assist the Local Planning Authority in their consideration of the principles of the scheme, a proposed parameters plan has been submitted.
- 8.14 The parameters plan indicates the broad extent to which the site will be developed. It includes a 25 – 30m wide landscape buffer around the eastern boundary of the site, a 14 – 37m buffer to the south, a 20 - 26.9m buffer to the north and 13 – 14.5 metre buffer to the west. This will ensure that built development within the site would not be highly visible from surrounding viewpoints. Given that there are residential properties along the eastern boundary of the site (36 - 43 metres from the site boundary), it is imperative that sufficient attention is given to the nature and extent of this landscaped buffer zone which will need to act as both a visual and noise barrier to future development. Additionally sufficient attention should be given to the proximity of the residential property to the immediate south of the site.

- 8.15 The application initially proposed up to 25,000 sq. metres but now seeks a reduced quantum of development of up to 20,590 sq. metres in order to accommodate the required landscaped buffer around the site. 20,590 sq. metres is now suggested as the maximum floorspace that can be accommodated subject to site considerations and detailed layout.
- 8.16 Details of the footprint of each building will be provided in due course at the reserved matters stage; however it should be noted that industrial/employment type buildings can often have large footprints and will need to be of a sufficient height to function appropriately.
- 8.17 Notwithstanding the above and the limited scope of the considerations of this application, the applicant is prepared to accept certain restrictions (which will be imposed as planning conditions) to guide the future detailed plans for the redevelopment of this site. The details are:
- No building on the site shall exceed a height of 6 metres and careful consideration will be given in particular to the location and height of buildings in closest proximity to neighbouring residential properties.
 - The buildings will be clad in non - reflective materials
 - All buildings will be painted or powder coated in shades of green and grey
 - The proposals will retain and enhance (where required) existing trees and scrub within the site
 - Planting of native trees, shrubs and hedging will be included within the design of the development. These will help to further screen and soften the proposals to the site boundaries. Planting of trees and other vegetation through the site will create a layered landscape effect, increase bio-diversity within the site and help set it and integrate it within the semi-rural context of the area.
- 8.18 It is intended that proposed built development will be low rise and have an appearance that is reflective of its rural surrounds. The new

buildings will not exceed a ridge height of 6 metres (a building height that already exists at the site) and will be positioned so that they do not adversely affect the amenity of the occupants of neighbouring properties.

- 8.19 The site is located within the Upper Quinn Valley Landscape Character Area (145) and the South Suffolk and North Essex Clayland National Character Area (86). With the above mentioned caveats to guide the detailed appearance/layout of the proposed development, it is not considered that the proposal will adversely impact the character of these areas.

New employment provision

- 8.20 As indicated above and in accordance with Policy VILL4, the proposal to retain and expand employment provision at this site is considered to be acceptable. The District Plan outlines the key roles that rural employment sites play in providing both accessible and affordable employment and business opportunities. Given the limited number of rural locations that are suitable for employment use, it is considered appropriate to ensure that in welcoming the principle of an expanded employment site in this location; consideration is given to the full scale of employment types that can be accommodated at this site.
- 8.21 In particular it is noted that despite the varied nature, age and size of the buildings on this site, this is not a site that is unoccupied. In addition, this is a site that does not currently have planning restrictions that restrict the type and quantum of employment uses that can operate at the site.
- 8.22 Notwithstanding, the Local Planning Authority are mindful of the need to ensure that development comes forward in such a way that suitable provision is made for a full range of sizes of units and types of employment uses that meet the needs of the locality. In addition, suitable provision is required to meet the needs of existing occupiers; including units that are of a suitable size to be decanted

into.

- 8.23 It is therefore considered appropriate that an employment retention strategy for the site is submitted (to be secured through condition), indicating how provision will be made for the retention of existing employment uses/occupiers. This will ensure that existing employment levels at the site are not reduced or lost. In addition details should be provided which include the proposals for the provision of low - cost employment units on this site and a full range of unit types that can meet a variety of different business needs.
- 8.24 A full range of employment uses are proposed at this site - Class E (g) - *Office/light industrial*, B2 *General Industrial* and B8 *Storage Distribution*. The uses are considered to be compatible with the neighbouring residential properties (subject to appropriate consideration of the detailed design and layout of the site) and will assist in attracting a broad range of end users which will help to ensure the long term viability of the site. It is nevertheless considered appropriate to impose a condition to secure permanent employment use of the site by removing all permitted development rights away from the uses specified.

Impact on neighbour amenity

- 8.25 Policy DES4 of the District Plan requires that development should have be of a high standard of design and layout and avoid significant detrimental impacts on the occupiers of neighbouring properties and land.
- 8.26 The proposed development seeks to intensify the use and built form of a site that is already in employment use and designated as an employment area for uses that fall within use classes B1 (now E (g)), B2 and B8.
- 8.27 There are currently no restrictions on the nature of employment types at the site or the hours in which those uses can operate. Whilst it is clear from the District Plan (map) that the site has

been considered suitable for an expansion; due regard must still be given to the amenity of occupants of surrounding sites and premises.

- 8.28 Uses that fall within Class E (g) (i, ii and iii) (office, research and light industrial use) are uses that can be carried out in a residential area without detriment to neighbouring amenity. Uses B2 (general industry) and B8 (storage or distribution) are uses that may, unless appropriately controlled, have an impact on neighbour amenity in terms of noise or air pollution.
- 8.29 When considering potential impacts on neighbouring amenity, regard must be given to the current designated status of this site as an employment area, and the enlargement of this same area in the District Plan; wherein a full range of employment uses are encouraged and wherein at present there are no restrictions on the specific location of employment types at the site.
- 8.30 Equally due regard must be given to the proximity of the enlarged development site to the nearest residential properties which are located to the east and south of the application site. The parameters plan indicates a 22 – 53 m distance from these residential properties to any proposed built development on the site due to the inclusion of a landscaped buffer of trees and vegetation.
- 8.31 At this stage it is not known in what position or orientation the proposed buildings will be, and neither is there information to indicate the proposed use. An indicative noise assessment has been provided which provisionally indicates the site can be operated without detriment to residential amenity through the design and appropriate orientation of buildings.
- 8.32 Whilst this information is acceptable and satisfies the Environmental Health Service, it is recognised that further analysis will need to be undertaken at the reserved matters stage (when more details are available on site layout and/or use). In this regard it is considered appropriate that a noise assessment will be submitted at this stage,

depending on the proposed uses on the eastern side of the site. This will ensure that the units and the site can operate without detriment to the amenity of neighbouring residential occupiers.

- 8.33 The inclusion of the landscape buffer and restrictions on building height (as set out in paragraph 8.17) are considered to be sufficient to demonstrate that built development can come forward at the detailed reserved matters stage without causing loss of light/overshadowing to neighbouring residential properties.
- 8.34 The proposals are therefore considered be in accordance with Policies DES4 and EQ2 of the District Plan.

Highway Impacts

- 8.35 The application seeks detailed consent at this stage for the site access. The National Planning Policy Framework (NPPF) states that development should only be refused on transport grounds where the residual cumulative impacts of development are severe.
- 8.36 Access considerations: As mentioned above, the site is already in use as an industrial estate and there is already vehicular access from the B1368. The existing site access abuts the flank boundary of Cherry Tree House (the nearest residential property). This access is already the subject of frequent car, LGV and HGV movements; movements that are associated with the nature of the businesses that occupy the site.
- 8.37 To the immediate south of the site lies Silkmead Farmhouse (also a residential property). The farmhouse has a small vehicular access point from the B1368. Silkmead Farmhouse is proposed to be demolished and the access point will be permanently closed off.
- 8.38 As part of this proposal for an expansion of this site, a new access point is proposed which is slightly south (9- 15 metres) of the existing one. This is proposed in order to support the increased activity on site by improving accessibility between the site and the B1368 so that vehicles can access and exit the site in a safe manner

with improved visibility splays. All vehicles will enter and exit in forward gear.

- 8.39 The new access point will have sufficient width to accommodate two HGV's using the junction simultaneously; a factor that will be of benefit to local highway safety and the general amenity of the occupants of the nearest residential property; Cherry Tree House. The proposed re-positioned access will also have the effect of enabling the provision of an enlarged landscaped buffer between Cherry Tree House and the application site.
- 8.40 The Highway Authority have reviewed the proposals for the access and confirmed they are acceptable. It is therefore considered that the access details proposed for this development are acceptable and as such there would be no conflict with policy TRA2 of the East Herts District Plan 2018.
- 8.41 Sustainable travel and trip generation: The proposed expansion of this site to provide up to 20, 590 sq.metres of floor area will undoubtedly lead to additional vehicle movements to and from the site.
- 8.42 The Silkmead farm site is situated circa 2km outside Buntingford town and involves negotiating the fast and relatively straight 60mph B1368 to Hare Street and the twisty and undulating B1038 to Buntingford. HCC (Hertfordshire County Council) Highways initially had concerns over the ability of this location to foster sustainable development in line with National and Local Policies, particularly Policies 1, 2 and 5 of Hertfordshire County Council's Local Transport Plan (LTP 4, Adopted 2018) and policy TRA1 of the East Herts District Plan.
- 8.43 It has been determined that the local restricted Bridal Ways (ANSTEY016/WYDDIAL 011 and ANSTEY015) are of a poor state which makes them completely unsuitable for all but the most extreme of off road bikes and equally being un-surfaced, having poor drainage and unlit etc. they aren't suitable for pedestrians.

- 8.44 Discussions with the HCC PROW (Public Rights of Way Team) have concluded that their upgrade was unrealistic due to their condition. Therefore in order to make the site policy compliant, they should focus on improvements to the local bus service.
- 8.45 Notwithstanding the above, the applicant has also investigated improving walking and cycling connections to the PROWs but determined that the only feasible option would be to construct a 2m wide footway along the western side of the B1368 linking the proposal site to the bridleway south of the site (ANSTEY016/WYDDIAL 011). Hertfordshire County Council Highways accepts that this is the only feasible opportunity to improve the pedestrian network in the vicinity of the proposal site. These works are to be secured by condition (14).
- 8.46 The current closest Bus Stop to the site is on the B1368 approximately 860m north of the proposal site access (just north of the Lincoln Hill junction) this is beyond a reasonably accepted walking distance (400m, 5 minutes' walk) and in relation to the above it was also determined that a pedestrian connection to it was unfeasible.
- 8.47 However, as indicated in the September 2021 Transport Assessment that was submitted in support of the application (Paragraph 4.9), Hertfordshire County Council operates a demand responsive bus service (Herts Lynx) and a 'Mobility Hub' is proposed to be built to accommodate the service. The mobility hub will combine a range of facilities such as:
- Herts Lynx bus and taxi drop-off and pick-up area
 - Sheltered waiting area
 - Secure cycle storage with e-bike charging points
 - Lockers, changing rooms, showers and drying area
 - Travel Plan noticeboard
- 8.48 An overarching Travel Plan is also proposed for the site; this will integrate all of the proposed sustainable travel measures. In addition bespoke Travel Plans are required to be prepared for each

individual unit prior to occupation (based on the overarching principles of the framework travel plan). This will ensure that each unit's operations are well considered and that there is individual unit ownership. A site - wide Travel Plan coordinator will be appointed and report to the Local Highway Authority.

- 8.49 The proposed provision of a mobility hub (the provision of which is to be the subject of a planning condition but the location of which is to be considered at reserved matters stage), the adoption of a site wide Travel Plan and the increased use of electric vehicles at the site; together with improvements to pedestrian accessibility (including a 2 metre wide footway connection to the bridleway) will all be instrumental in ensuring that sustainable transport options are available at this site for both staff and visitors.
- 8.50 The submitted Transport Assessment includes modelling data which looks at the likely impact of the proposals on the local highway network. The Highway Authority has reviewed this data and concluded that whilst the modelling demonstrates that there would be some impact arising from the proposals, this would not be severe and would be further mitigated by the implementation of the sustainable transport measures outlined above.
- 8.51 It is therefore considered that proposals would not give rise to an unacceptable impact on the local highway network and are in accordance with the requirements of Hertfordshire County Council's Local Transport Plan (LTP 4, Adopted 2018) and policy TRA1 of the East Herts District Plan.

Natural Environment

- 8.52 The site comprises in the main, brownfield land which contains a variety of generally poor quality buildings set amongst a heavily landscaped setting with significant tree cover. However there are parts of the site which are undeveloped. There are no Tree Preservation Orders (TPO's) on the site and the site is not protected by any conservation area status.

- 8.53 As required by the NPPF and District Plan Policies NE2, NE3 and NE4 where a proposed development would adversely affect biodiversity, the applicant is required to demonstrate that any negative effects can be mitigated or compensated for. There should in principle be a net enhancement of biodiversity.
- 8.54 The applicants will be required to submit an arboriculture survey at the reserved matters stage that indicates how the existing trees have informed the detailed design layout of the site and been retained as far possible. In addition any losses will be expected to be compensated for. These requirements will be secured through condition.
- 8.55 The application is supported by an ecological impact assessment which indicates that there are no protected species at the site and that the site is of low ecological value. It also sets out how the biodiversity of the site could be enhanced to help achieve no net loss of biodiversity and where possible achieve meaningful net gain in the context of national and local targets.
- 8.56 The comments from consultees in response to the application highlighted that at present no ecological enhancement has been provided. As this is an outline application, full details will not come forward until the reserved matters stage. To ensure that the policy requirements are met, a condition will be imposed requiring any future reserved matters application to demonstrate how a minimum of 10% biodiversity net gain across the site will be achieved. Conditions will also be imposed requiring all future buildings to provide bird and bat nesting habitats/boxes.
- 8.57 Subject to the submission of further details being submitted at the reserved matters stage as set out above, the proposal is considered to comply with Policies NE3 and NE4 of the East Herts District Plan.

Flood risk

- 8.58 The development site is located within the Environment Agency's Flood Zone 1, being an area having the lowest risk of flooding. Local

Planning Authorities are required to apply a risk – based assessment to new developments as set out in the Planning Practice Guidance (PPG). A proposed development that consists of offices/general industry/ storage and distribution is considered to fall in the category defined as 'less vulnerable'. Accordingly it is considered that this form of development would be appropriate in this location.

- 8.59 The applicant has proposed a surface water drainage strategy for the development. This will involve utilising the existing ditch at the southern (front) part of the site but also providing permeable surfaces and potentially providing soakaways at the site and additional on-site rainwater storage.
- 8.60 The Lead Local Flood Authority (LLFA) has reviewed the principles of what has been proposed, but has indicated that further information should be provided in order for them to be fully satisfied. In particular the LLFA seek information of how surface water is to be managed.
- 8.61 The information that has been requested by the LLFA has been reviewed by the applicant and they have provided additional information. Although the LLFA have been re – consulted they are as yet to respond.
- 8.62 However, as this an outline application, full details of the drainage scheme for the site cannot be determined until the detailed layout of the development is known. As such officers consider that this aspect of the development should, and can, be considered at the reserved matters stage. A condition will be imposed to secure this.
- 8.63 With the information submitted to date and the additional information to be secured through conditions, it is considered that this aspect of the proposal accords with Policies WAT1, WAT2 and WAT5 of the District Plan.

Energy and Sustainability

- 8.64 The Council's District Plan and the Sustainability SPD 2021 seeks to ensure that new development is adaptable to climate change i.e. is designed to minimise overheating in summer and reduce the need for heating in winter, and can demonstrate how carbon dioxide emissions will be minimised across the development site. Achieving standards beyond the requirements of Building Regulations is encouraged.
- 8.65 The application makes high level reference to the reduction of energy use predominantly by high standards of insulation and the use of energy efficient installations. However, as this is an outline application, it is considered that the requirements with regard to sustainability and climate change can be fully addressed at the reserved matters stage and appropriate conditions are therefore proposed to ensure this.

Infrastructure/Planning obligations

- 8.66 The Highway Authority requests measures to mitigate the wider cumulative impact of the development. These will consist of agreed local junction improvements within the vicinity of the site and the provision of a Travel Plan for the site's operation. In addition it is proposed that a financial contribution is secured to provide wider sustainable transport facilities in the locality.
- 8.67 In this regard the following is to be secured by a Section 106 Agreement:
- Agreed junction improvements at Silkmead Farm onto B1368
 - Travel Plan and provision of a Travel Hub
 - £343,086.00 for provision of a wider sustainable transport network.

Response to third party comments

- 8.68 Responses to the majority of the comments received have been addressed within the body of the report. With regard to the remaining points the following applies:
- Designation of the application site as an employment area in the District Plan – The Local Planning Authority has undertaken extensive public consultation on the East Herts District Plan. There has also been an examination in public; conducted by the Planning Inspectorate on all aspects of the content and publicity of the plan.
 - Green Belt – the site is not located in the Green Belt and the proposed development will not result in any loss of Green Belt land.
 - Equalities consideration- access to the site by methods other than the private car has been considered. The proposal includes measures to improve the pedestrian environment by making improvements to the footpaths. In addition, the provision of a mobility hub which will link the site to a bus service and taxi provision will further improve the site's public accessibility.
 - Water supply - there is no evidence that this development will adversely affect water supply. Whilst detailed layouts will be the subject of subsequent applications, conditions are proposed to ensure that the development complies with the councils sustainability policies. In addition, there are no objections from the relevant water companies.

9.0 Planning Balance and Conclusion

- 9.1 The proposal seeks to deliver local employment on a site which is designated in the East Herts District Plan for such use and wherein there is in-principle support for expansion of employment uses.
- 9.2 The proposed development will undoubtedly generate increased employment opportunities and an improvement in building quality

compared to those that exist on site at present. This is to be provided within clear development constraints (outlined in paragraph 8.17) which will limit heights of buildings, retain and improve the landscape features of the site and ensure that visually any development blends in with its rural setting. These development constraints will be secured through condition and will determine/guide the overall quantum of development, its layout and external appearance. Other conditions as set out, seek to control any future development to ensure that it comes forward without detriment to amenity.

- 9.3 The material submitted demonstrates that the proposed new access would provide significantly improved vehicular and pedestrian access to the site.
- 9.4 Subject to the implementation of the sustainable transport measures described in this report, it is also considered that the proposals will not have an unacceptable impact on the local highway network.
- 9.5 Overall, on the balance of considerations, the proposed development is considered to be compliant with the policies of the East Herts District Plan 2018.

10.0 RECOMMENDATION

- 10.1 That outline planning permission is GRANTED, subject the conditions set out at the end of this report and subject to a Section 106 legal agreement.
- 10.2
- 10.3 That delegated Authority is granted to the Head of Planning and Building Control to finalise the detail of the Legal Agreement and conditions and to refuse the application in the event a legal agreement is not completed to the Council's satisfaction following the committee's decision.

11.0 Legal Agreement Terms

- **Agreed junctions improvements at Silkmead Farm/ B1368**
- **Full Travel Plan and provision of a Travel/Mobility Hub**
- **£1,200 per annum index-linked RPI March**

2014 Evaluation and Support Fee

- **£343,086.00 for provision of a wider sustainable transport network.**

Draft Conditions

1. The development hereby approved shall be carried out in accordance with the approved plans, documents and reports listed at the end of this Decision Notice and in accordance with the phasing plan that is the subject of condition 2.

Reason: To ensure the development is carried out in accordance with the approved plans, drawings and specifications.

2. Prior to the submission of any application for the approval of reserved matters in relation to this permission, a site wide phasing plan shall be submitted to and approved in writing by the Local Planning Authority. The phasing plan shall set out the details of the following:
 - (i) the proposed sequence of development across the entire site
 - (ii) the extent and location of individual phases together with details of proposed use class types;
 - (iii) proposals for the retention of existing occupiers at the site

Thereafter the development shall be implemented in accordance with the approved phasing plan.

Reason: To ensure the development site is comprehensively developed in accordance with its employment designation and that a suitable and varied range of employment uses and buildings are

provided at the site; for the benefit of existing and prospective occupants; in accordance with Policies ED1, ED2 and VILL 4 of the East Herts District Plan.

3. Application(s) 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. The development to which this permission relates shall be begun by not later than 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 (As Amended).

4. Details of the appearance (including facing materials), landscaping (including boundary treatment), layout (including internal layout and floor to ceiling heights of individual units/buildings, parking and manoeuvring arrangements for vehicles) and scale (hereinafter called 'the reserved matters') shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall thereafter be carried out as approved.

Reason: To comply with the provisions of Article 5 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (As Amended).

5. The plans and particulars for all Reserved Matters applications shall be accompanied by details that show:
 - Full details of the landscaping of the site, including how the design has been informed by a commitment to retain as far practicable existing trees/hedges on site. The scheme shall reflect the landscape character of the area and indicate on a

- detailed plan, appropriate species, types and densities as well as their distribution on site and a planting programme;
- How provision has been made for the inclusion of bat and bird boxes into the construction of any buildings;
 - Details that demonstrate how the design, materials, construction and operation of the development would minimise overheating in summer and reduce the need for heating in winter and integrate green infrastructure into the development;
 - Details that demonstrate how carbon dioxide emissions will be minimised across the development site, taking account of all levels of the energy hierarchy; achieving standards above the requirements of conversant Building Regulations;
 - Full details of the provision to be made for the secure storage/parking of cycles and the provision of facilities within the building(s) to encourage travel to work by bike (showers and lockers);
 - Full details of the location of all external parking spaces including the provision of disabled parking spaces.

The development shall subsequently be implemented entirely in accordance with the approved details; prior to the occupation of any building. Thereafter the mitigation measures/ approved details shall be provided and permanently maintained and retained in accordance with the approved details.

Reason: To ensure the provision of a satisfactory form of development in the interests of the visual and general amenity of the site and its surrounds and to provide and promote sustainable transport options at the site in accordance with Policies DES2, DES3, DES4, EQ2, CC1, CC2, WAT5 and TRA1 of the East Herts District Plan 2018.

6. No development shall commence until full details of the design, based on sustainable drainage principles, and implementation of an appropriate surface water sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. The

details submitted shall either be submitted in its entirety OR shall accord with the site wide phasing plan once approved.

Those details shall include, as a minimum:

- (i) Information about the lifetime of the development, design storm period and intensity1 in 30 and 1 in 100 year+ allowance for climate change, discharge rates and volumes (pre and post development), temporary storage facilities, the methods employed to delay and control surface water discharges from the site, the measures taken to prevent flooding (any informal flooding to be allowed on site in events greater than the 1 in 30 storm should be identified on the layout with its volume, depth and area) and pollution of the receiving ground water and/or surface waters, including water courses together with details of floor levels in AOD;
- (ii) The drainage strategy shall demonstrate that the surface water run - off will not exceed the pre - development greenfield run - off rate, that half drain down times can be achieved within 24 hours up to and including the 1 in 100 year + 40% climate change storm or that the network can manage for a 1 in 100 year+ 40% storm followed by a 1 in 30 year storm
- (iii) Any works required off site to ensure adequate discharge of surface water without causing flooding or pollution;
- (iv) Details of surface water drainage for all hardstanding areas that demonstrate adequate provision of oil separators on the site. The separators shall be designed to have a capacity that is compatible with the area being drained.
- (v) A timetable for implementation, including phasing as applicable
- (vi) An assessment of the site conditions to include site investigation (including the existing ditch and culvert) and test results to confirm infiltration rates.

Thereafter no building shall be occupied until the scheme has been implemented in accordance with the approved details. Furthermore the drainage system shall be retained, managed and maintained in accordance with the approved details.

Reason: To prevent flooding by ensuring the satisfactory storage/disposal of surface water from the site; to reduce the risk of flooding to the development, future users of the site and the surrounding locality and to ensure that the development does not adversely affect local water quality in accordance with Policies WAT1, WAT2, WAT3 and WAT5 of the East Herts District Plan 2018.

7. No development shall commence until full details (in the form of scaled plans and / or written specifications) have been submitted to and approved in writing by the Local Planning Authority to illustrate the following:

- (i) Roads, footways.
- (ii) Cycleways.
- (iii) Foul and surface water drainage.
- (iv) Visibility splays
- (v) Access arrangements
- (vi) Parking provision in accordance with adopted standard.
- (vii) Loading areas.
- (viii) Turning areas.

The details submitted shall either be submitted in its entirety OR shall be submitted in accordance with the site wide phasing plan once approved.

Reason: To ensure suitable, safe and satisfactory planning and development of the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018) and Policies TRA1, TRA2 and TRA3 of the East Herts District Plan (2018).

8. No development shall commence until a finalised Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following:
 - a) The demolition and construction programme and phasing
 - b) Hours of operation, delivery and storage of materials

- c) Details of any highway works necessary to enable construction to take place
- d) Parking and loading arrangements
- e) Details of site security, lighting and hoarding
- f) Management of traffic to reduce congestion and protect pedestrians
- g) Control of dust and dirt on the public highway
- h) Details of consultation and complaint management with local businesses and neighbours
- i) Waste management proposals
- j) Mechanisms to deal with environmental impacts such as noise and vibration, air quality and dust, light and odour.
- k) 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.

The details submitted shall either be submitted in its entirety OR shall be submitted in accordance with the site wide phasing plan once approved.

Reason: In the interests of avoiding potential detrimental impacts on the amenity of occupiers of neighbouring properties in accordance with Policy DES4 Design of Development, Policy EQ2 Noise Pollution and Policy EQ4 Air Quality of the adopted East Herts District Plan 2018.

9. No development shall commence until a Construction Management Plan (or Construction Method Statement) has been submitted to and approved in writing by the Local Planning Authority, including elements of the CLOCS standards as set out in the Highway Authority's Construction Management template. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan: The Construction Management Plan / Statement shall include details of:

- a) Construction vehicle numbers, type, routing;
- b) Access arrangements to the site;
- c) Traffic management requirements
- d) Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
- e) Siting and details of wheel washing facilities;
- f) Cleaning of site entrances, site tracks and the adjacent public highway;
- g) Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
- h) Provision of sufficient on-site parking prior to commencement of construction activities;
- i) Post construction restoration/reinstatement of the working areas and
- j) temporary access to the public highway;
- k) where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements;
- l) Phasing Plan and
- m) Name and contact details of the person responsible for site works and the processes to be implemented to ensure that occupiers surrounding the site are made aware of the commencement of site works.

The details submitted shall either be submitted in its entirety OR shall be submitted in accordance with the site wide phasing plan once approved.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018) and Policy TRA2 of the East Herts District Plan 2018 and to ensure an adequate level of amenity for the occupiers of surrounding properties in accordance with Policy EQ2 of the East Herts District Plan 2018.

10. No development shall commence until written details of a Site Waste Management Plan (SWMP) have been submitted to, and approved in writing by, the Local Planning Authority in conjunction with the Waste Planning Authority.

As a minimum, a SWMP should include the following:

- Project and People
- Identification of the client
- Identification if the Principal Contractor
- Identification of the person who drafted the SWMP
- Location of the site
- An estimated cost of the project
- Declaration that the client and contractor will comply with the requirements of Duty of care that materials will be handled efficiently and waste managed appropriately (Section 34 of Environmental Protection Act 1990 and Environmental Protection (Duty of Care) Regs 1991)

Estimating Waste:

- A description of the types of waste that are expected to arise on site (recorded through the use of 6-digit European Waste Catalogue codes) and an estimated quantity for each of the types (in tonnes)
- Waste management actions for each of the types of waste (i.e. will it be re-used, recycled, recovered or disposed of)

Space for Later Recordings

- Space for the recording of actual figures against those that are estimated at the start
- Space that will allow for the recording and Identification of those responsible for removing the waste from site and details of the sites they will be taking it too
- Space for recording of explanations that set out the reasons for any deviations from what has been set out in the SWMP, including explanations for differences in waste arising compared to those set out in the initial estimations.

Thereafter, the details of the SWMP shall be implemented and adhered to throughout the course of the development; in accordance with the details approved.

Reason: In order to ensure the development proceeds in accordance with the requirements of Policies 1, 2 and 12 of the adopted Hertfordshire Waste Local Plan.

11. The plans and particulars for all Reserved Matters applications shall be accompanied a noise impact assessment of external noise levels including reflected and re-radiated noise and details of the sound insulation of the building envelopes, of acoustically attenuated mechanical ventilation, and any mitigation measures to achieve this condition as necessary to ensure an acceptable acoustic amenity to nearby residents, has been submitted to and approved in writing by the Local Planning Authority. The noise impact assessment shall demonstrate compliance with the 'good' internal room and external space amenity noise standards in accordance with the criteria of BS 8233:2014 '*Guidance on sound insulation and noise reduction for buildings*' for the nearest and / or most affected noise sensitive receptors.

The approved details shall be implemented prior to first use of the development and thereafter be permanently retained.

Reason: In order to ensure an adequate level of amenity for nearby residential occupiers in the vicinity of the development in accordance with Policy EQ2 Noise Pollution and DES4 Design of Development of the adopted East Herts District Plan 2018.

12. No development shall take place on any phase of the development until an updated Landscape and Ecological Management Plan, including long-term design objectives and mitigation actions has been submitted to, and approved in writing by, the Local Planning Authority. The landscape and ecological management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority.

The scheme shall include the following elements:

1. details of any new habitat created on site
2. details of treatment of buffers around water bodies, including lighting schemes.
3. the Biodiversity value of the site, determined by applying a locally approved Biodiversity Metric where appropriate.
4. details of invasive species management plan where appropriate.
5. details for the long – term management of the area.

Reason: To ensure the protection of wildlife and supporting habitat. Also, to secure opportunities for enhancing the site's nature conservation value in line with National Planning Policy Framework and East Herts District Plan Policy NE3.

13. No development shall commence until a scheme for the Mobility Hub

As indicated in the Transport Assessment (V3 September 2021) has been 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 sustainable transport infrastructure 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 Policy TRA1 of the East Herts District Plan 2018 .

14. A) Design Approval

Notwithstanding the details indicated on the submitted drawings, no on-site works above slab level shall commence until a detailed scheme for the off-site highway improvement works as indicated on drawing number (DWG/3543/009 REV -) have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

B) Implementation / Construction

The development shall not be brought into use until, the improvement works referred to in part A of this condition have been completed in accordance with the approved details.

Reason: To ensure construction of a satisfactory development and that the highway improvement works are designed to an appropriate standard in the interest of highway safety and amenity and in accordance with Policies 5, 13 and 21 of Hertfordshire's Local Transport Plan (adopted 2018) and Policy TRA2 of the East Herts District Plan 2018.

15. No development shall commence on the existing access until written details and specifications for the vehicular access improvements, as Indicated on drawing numbers (705-10-011 and DWG/3453/001 Rev A) have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

The development shall not be brought into use until the approved vehicular access improvements have been fully implemented. Thereafter they shall be retained.

Reason: To ensure construction of a satisfactory access and in the interests of highway safety, traffic movement and amenity in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018) and Policy TRA2 of the East Herts District Plan 2018 and to clearly indicate the nature of what has been consented.

16. No on-site works above slab level shall commence until details of the measures required to facilitate the adequate provision of fire hydrants at the site have been submitted to and approved in writing by the Local Planning Authority; in consultation with Hertfordshire Fire and Rescue Service.

The details submitted shall either be submitted in its entirety OR shall be submitted in accordance with the site wide phasing plan once approved.

Thereafter, no part of the development shall be occupied until all of/ the relevant fire hydrants associated with the development phase(s) have been provided, installed and permanently maintained/retained by the developer at their own expense, in accordance with the approved details.

Reason: To ensure the site provides appropriate infrastructure to support sustainable development in accordance with Policy DEL1 of the East Herts District Plan 2018.

17. No on-site works above slab level shall commence until details of the measures required to facilitate the provision of high speed broadband internet connections 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 industrial unit.

The details submitted shall either be submitted in its entirety OR shall be submitted in accordance with the site wide phasing plan once approved.

Once approved, high speed broadband infrastructure shall be implemented thereafter in accordance with the approved details (or any development phase) and shall be made available for use in respect of each industrial unit prior to the first occupation of the industrial unit 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.

18. In connection with all site preparation, demolition, construction and ancillary activities, working hours shall be restricted to 08:00 – 18:00 hours on Monday to Friday, 08:00 – 13:00 hours on Saturdays, and not at all on Sundays or Bank / Public Holidays. Vehicles arriving at / leaving the site must do so within these times.

Reason: In order to ensure an adequate level of amenity for nearby occupants in accordance with Policy EQ2 Noise Pollution of the East Herts District Plan 2018

19. The development (or any phase of the development) shall not be brought into use until arrangements have been made for surface water to be intercepted and disposed of separately so that it does not discharge onto the highway carriageway.

Reason: To avoid the carriage of extraneous material or surface water from or onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018) and Policy WAT5 of the East Herts District Plan 2018.

20. The development shall not be brought into use until a visibility splay has been provided in full accordance with the details indicated on the approved drawing number (DWG/3453/001 Rev A). The splay shall thereafter be retained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

Reason: To ensure that the level of visibility for pedestrians, cyclists and vehicles is satisfactory in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018) and Policy TRA2 of the East Herts District Plan 2018.

21. The development (or any phase of the development) shall not be brought into use until provision has been made on site for 20% of the car parking spaces to have active provision for Electric Vehicle (EV) charging and 75% of the car parking spaces to have passive provision for EV charging. Additionally, where onsite parking is provided for commercial vehicles, a minimum of 1 'fast electric vehicle charging point shall be provided for every 10 spaces. Thereafter the electric vehicle charging provision shall be permanently retained for the development.

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 (adopted 2018) and Policies TRA1, TRA3 and EQ4 of the East Herts District Plan 2018.

22. No individual unit shall be occupied within the development until a plan agreeing the appropriate Servicing and Delivery arrangements for that unit has been submitted to and agreed in writing by the Local Planning Authority in consultation with the highway authority. Thereafter the development shall be operated in accordance with the details agreed for that unit.

Reason: To ensure construction and operation of a satisfactory development and in the interests of highway safety and amenity in accordance with Policies 4, 5, 12 and 16 of Hertfordshire's Local Transport Plan (adopted 2018) and Policies TRA2 and DES4 of the East Herts District Plan 2018.

23. The development shall not be brought into use until the details of the Overarching Travel Plan and the relevant Plot Travel Plans have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority and implemented in accordance with the details approved. Thereafter the development shall be operated at all times in accordance with the approved details.

Reason: To ensure that sustainable travel options associated with the development are promoted and maximised to be in accordance with Policies 3, 5, 7, 8, 9 and 10 of Hertfordshire's Local Transport Plan (adopted 2018) and Policy TRA1 of the East Herts District Plan 2018.

24. No development shall be occupied until confirmation has been provided that either:
 - (i) Waste water capacity exists off site to serve the development, or

- (ii) A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan, or
- (iii) All wastewater network upgrades required to accommodate the additional flows from the development have been completed.

Reason: Network reinforcement works may be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents and to comply with Policy WAT1 of East Herts District Plan 2018.

25. No external fixed plant and / or equipment shall come into operation until full details have been submitted to and approved in writing by the Local Planning Authority. Noise from plant / equipment at the development shall not exceed a level of 10 dB below the LA90 background noise level when measured or calculated at 1 metre from the façade(s) of the nearest noise sensitive receptor(s). The measurements and assessment shall be made according to BS 4142:2014+A1:2019 'Methods for rating and assessing industrial and commercial sound' at the nearest and / or most affected noise sensitive premises, with all plant / equipment operating together at maximum capacity and inclusive of any penalty for tonal, impulsive or other distinctive acoustic characteristics.

The details submitted shall either be submitted in its entirety OR shall be submitted in accordance with the site wide phasing plan once approved.

Reason: In order to ensure an adequate level of amenity for occupiers in the vicinity of the proposed development in accordance with Policy EQ2 Noise Pollution of the East Herts District Plan 2018.

26. Any external artificial lighting at the development hereby approved shall not exceed lux levels of vertical illumination at neighbouring premises that are recommended by the Institution of Lighting Professionals Guidance Note 01/20 '*Guidance notes for the reduction of obtrusive light*'. Lighting should be minimized and glare and sky glow should be prevented by correctly using, locating, aiming and shielding luminaires, in accordance with the Guidance Note.

Reason: In order to ensure an adequate level of amenity for the occupants of nearby properties in accordance with Policy EQ3 Light Pollution and DES4 Design of Development of the adopted East Herts District Plan 2018.

27. No deliveries or collections to /from the development hereby approved shall take place at any time on a Sunday or Bank Holidays, or before 07.00 hours or after 19.00 hours Monday - Friday or before 08.00 or after 13.00 hours on Saturday.

Reason: In order to ensure an adequate level of amenity for the occupants of nearby properties in accordance with Policies DES4 and EQ2 of the East Herts District Plan 2018.

28. The site hereby approved shall only be used for development that falls within use classes E (g), B2 and B8 of the Use Classes Order 1987 (as amended) and any subsequent equivalent uses in any amending Order.

Reason: To ensure the development site is comprehensively developed in accordance with its employment designation and that a suitable and varied range of employment uses and buildings are provided and retained at the site; for the benefit of existing and prospective occupants; in accordance with Policies ED1, ED2 and VILL 4 of the East Herts District Plan.

29. Notwithstanding the details indicated on the submitted drawings:
- buildings on the site shall not exceed 6 m in height ridge level;
 - buildings shall be clad in non-reflective materials;

- buildings shall be painted/powder coated in shades of green or grey.

Reason: To ensure the provision of a satisfactory form of development in the interests of the landscape, visual and general amenity of the site and its surrounds ; in accordance with Policies GBR2 and DES2 of the East Herts District Plan 2018.

30. No site demolition or development shall commence on any part of the site until an asbestos survey has been carried out for that part of the site by a specialist asbestos contractor and details submitted to the Local Planning Authority for verification. If any asbestos containing materials are discovered, or subsequently discovered during the course of the development, these shall be handled and disposed of appropriately, including the use of licensed contractors and waste disposal sites licensed to receive asbestos.

Reason: In order to ensure an adequate level of amenity for nearby occupants in accordance with Policy EQ4 Air Quality of the East Herts District Plan 2018.

31. 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 and hedges, in accordance with Policy DES3 of the East Herts District Plan 2018.

32. No development shall commence until full details (including existing and proposed sections) of the proposed surface attenuation pond has been 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 prevent flooding by ensuring the satisfactory storage/disposal of surface water from the site; to reduce the risk of flooding to the development, future users of the site and the surrounding locality and to ensure that the development does not adversely affect local water quality in accordance with Policies WAT1, WAT2, WAT3 and WAT5 of the East Herts District Plan 2018.

33. Prior to the development being first occupied, all on site vehicular areas, including (but not limited to) internal access roads, forecourts and external parking spaces, shall be accessible, surfaced, marked out and fully completed in accordance with the approved plans.

Reason: So as to ensure satisfactory parking of vehicles outside highway limits and to minimise danger, obstruction, and inconvenience to users of the highway and of the premises in accordance with Policy TRA3 of the East Herts District Plan 2018.

Plans

| Plan title | Ref | Dated |
|-----------------------------|---------------------------|-------------------|
| Parameters Plan | 705-10-014 | 17/01/2022 |
| Proposed Site Access | DWG_3543_001 rev A | 24/04/2021 |

Informatics

1. Other legislation (01OL1)
2. The applicant is advised that their development boundary falls within a Source Protection Zone for groundwater abstraction. These zones may be at particular risk from polluting activities on or below the land surface. To prevent pollution, the Environment Agency and Thames Water (or other local water undertaker) will use a tiered, risk-based approach to regulate activities that may impact groundwater resources. The applicant is encouraged to read the Environment Agency's approach to groundwater protection (available at <https://www.gov.uk/government/publications/groundwater-protection-positionstatements>) and may wish to discuss the implication for their development with a suitably qualified environmental consultant.
3. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.
4. Infrastructure **connections and diversions**
There are potentially water mains running through or near to part of proposed development site. If the development goes ahead as proposed, the developer will need to get in contact with our Developer Services Team to discuss asset protection or diversionary measures. This can be done through the My Developments Portal (<https://affinitywater.custhelp.com>) or aw_developerservices@custhelp.com

5. In this location Affinity Water will supply drinking water to the development. To apply for a new or upgraded connection, please contact our Developer Services Team by going through their My Developments Portal (<https://affinitywater.custhelp.com/>) or aw_developerservices@custhelp.com. The Team also handle C3 and C4 requests to cost potential water mains diversions. If a water mains plan is required, this can also be obtained by emailing: maps@affinitywater.co.uk. Please note that charges may apply
6. Electric vehicle charging point specification
 - A separate dedicated circuit protected by an RCBO should be provided from the main distribution board, to a suitably enclosed termination point within a garage, or an accessible enclosed termination point future connection to an external charging point.
 - The electrical circuit shall comply with the electrical requirements of BS7671:2008 as well as conform to the IET code of practise on Electric Vehicle Charging Equipment Installation 2012 ISBN 978-1-84919-515-7.
7. Commercial and industrial installations may have private 11,000 / 400V substations where a TN-S supply may be available, simplifying the vehicle charging installation design and risk analysis. It is therefore essential for developers to determine a building's earthing arrangements before installation.
8. Commercial vehicles have a range of charge rates and it is appropriate to consider a 3-phase and neutral supply on a dedicated circuit emanating from a distribution board. More than one EV charging station can be derived from a source circuit, but each outlet should be rated for a continuous demand of 63 Amps. No diversity should be applied throughout the EV circuitry, 3-phase RCBOs should be installed and the supply terminated in a switched lockable enclose. If an external application (for example, car park or goods yard) is selected, the supply should be terminated in a feeder pillar equipped with a multi-pole isolation switch, typically a 300mA

RCD, a sub-distribution board (if more than one outlet is fed from the pillar). If an additional earthing solution is required, the earth stake can be terminated within this pillar. See IET guideline risk assessment.

Additional guidance on charge point installation is available from the Office for Zero Emission Vehicles at

<https://www.gov.uk/government/organisations/office-for-zero-emission-vehicles>.

9. Highway works (05FC2)
10. Flood Risk Activity Permit
11. Justification – Grant (JG4)
12. 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:
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>
13. AN2/. 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:
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

[management/highways-development-management.aspx](https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx)

14. AN3/. 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:
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>
15. AN4/. Avoidance of surface water discharge onto the highway: The applicant is advised that the Highway Authority has powers under section 163 of the Highways Act 1980, to take appropriate steps where deemed necessary (serving notice to the occupier of premises adjoining a highway) to prevent water from the roof or other part of the premises falling upon persons using the highway, or to prevent so far as is reasonably practicable, surface water from the premises flowing on to, or over the footway of the highway.
16. AN5/.New or amended vehicle crossover access (section 184): Where works are required within the public highway to facilitate a new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission, requirements and for the work to be carried out on the applicant's behalf. Further information is available via the County

Council website at:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/dropped-kerbs/dropped-kerbs.aspx> or by telephoning 0300 123 4047

17. AN6/.Works within the highway (Section 278): The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. 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 County Council website at:-
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>.
Or by telephoning: 0300 123 4047.

Construction standards for works within the highway: The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated highway improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>