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Mr Salvatore Zaffuto  
22 Berkley Avenue  
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Hertfordshire  
EN8 8DW

13 September 2023

**TOWN AND COUNTRY PLANNING ACT 1990  
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT  
PROCEDURE) (ENGLAND) ORDER 2015**

Dear Mr Zaffuto,

**Application Reference:** 6/2023/1354/COND

**Proposed development at:** 71 Station Road Cuffley EN6 4HG

**Proposal:** Submission of details pursuant to conditions 1 (Contamination), 2 (Footway crossovers and dropped kerbs), 3 (Construction Management Plan), 4 (Drainage), 5 (Materials), 6 (Fence height), 7 (Noise Impact), 8a (Accessible and adaptable housing), 9 (Biodiversity), 10 (Energy and sustainability), 11 (Cycle provision, refuse and recycling), 16 (External lighting), 17 (Bollards for car parking) and 20 (Parking allocation) on planning permission 6/2021/0456/MAJ

Thank you for your application requesting approval of the above details reserved by conditions.

Development has commenced (insert)

Condition 1

Condition 1 states:

*“(A) Development must not commence until the following components of a scheme to deal with the risks associated with contamination of the site have been submitted to and approved in writing by the local planning authority:*

*i) A preliminary risk assessment which has identified:*

- 1. All previous uses;*
- 2. Potential contaminants associated with those uses;*

3. *A conceptual model of the site indicating sources, pathways and receptors;*
4. *Potentially unacceptable risks arising from contamination at the site; and*
5. *Suitability of piling or other foundation designs using penetrative methods to be used*

*ii) A site investigation scheme, based on (i), to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. This should include an assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, pests, woodland and service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments.*

*iii) An options appraisal and remediation strategy, based on (i) and (ii), giving full details of the remediation measures required and how they are to be undertaken.*

*iv) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (iii) are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action.*

*The scheme must be implemented as approved.*

*(B) Following completion of measures identified in the approved remediation scheme and prior to first occupation of the development, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils must be submitted to and approved in writing by the local planning authority.*

*The approved monitoring and maintenance programme must be implemented.*

*(C) In the event that contamination is found at any time when carrying out the approved development that was not previously identified works must stop and it must be reported in writing immediately to the Local Planning Authority. Works can only re-start when an investigation and risk assessment and, if required, a remediation scheme, has been submitted to and approved in writing by the local planning authority in accordance with the requirements of Part A. Following completion of measures identified in the approved remediation scheme a verification report must be submitted to and approved in writing by the local planning authority”.*

The following details have been submitted in support of this condition:

- Phase I Desktop Study Report (by Herts & Essex Site Investigations, April 2022)

- Phase II Environmental Report (by Herts & Essex Site Investigations, April 2022)

As development has commenced, this condition cannot be discharged. The details submitted would have been sufficient to discharge the details reserved under Part A.

### Condition 2

Condition 2 states:

*“Development must not commence until full details have been submitted to and approved in writing by the Local Planning Authority to illustrate the following:*

- a) The reinstatement of the footway at the existing footway crossovers located to the south east of the site (on The Meadway) and to the south of the site (on Station Road);*
- b) Dropped Kerbs and Tactile Paving on the south of The Meadway, linking the existing footways on the east and west; and*
- c) Dropped Kerbs and Tactile Paving on both sides of the proposed vehicular access.*

*The approved details must be implemented prior to first occupation of the Development”.*

The following details have been submitted in support of this condition:

- General Arrangement (drawing number: C1000-S278-3906)
- Setting Out Arrangement (drawing number: C2000-S278-3906)
- Site Clearance (drawing number: C3000-S278-3906)
- Proposed Pavement and Kerbing Layout (drawing number: C4000-S278-3906)
- Standard Details (drawing number: C5000-S278-3906)
- Existing Utilities (drawing number: C6000-S278-3906)
- Proposed Road Marking Layout (drawing number: C7000-S278-3906)

As development has commenced, this condition cannot be discharged. The details submitted would have been sufficient to discharge the details reserved by this condition.

### Condition 3

*“Condition 3 states:*

*Development must not commence until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority.*

The CMP must 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 temporary access to the public highway; and
- j) 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.

*The construction of the development shall not be carried out otherwise than in accordance with the approved CMP”.*

The following details have been submitted in support of this condition:

- Construction Management Plan (by Rampart LTD, 24 January 2023)

As development has commenced, this condition cannot be discharged. The submitted details would have been sufficient to discharge the details reserved by this condition.

#### Condition 4

Condition 4 states:

*“Development must not commence until the final design of the drainage scheme has been submitted to and approved in writing by the local planning authority. The surface water drainage system will be based on the principles of the submitted Surface Water Drainage Strategy carried out by MTC Engineering reference 2592-DS-Feb 2021, dated February 2021. The scheme shall also include:*

- a) Detailed infiltration testing to be explored and carried out on site precommencement in accordance with BRE Digest 365 standards;
- b) Should infiltration be proven unviable, the applicant should manage surface water via discharge into the existing Thames Water Surface Water Sewer at a maximum rate of 2.0l/s for all rainfall events up to and including the 1 in 100+40% climate change event;

- c) *Detailed engineered drawings of the proposed SuDS features including their location, size, volume, depth and any inlet and outlet features including any connecting pipe runs. This should be supported by a clearly labelled drainage layout plan showing pipe networks. The plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes;*
- d) *All final corresponding calculations/modelling to ensure the scheme caters for all rainfall events up to and including the 1 in 100 year + 40% allowance climate change event;*
- e) *Provision of half drain down times for all storage features within 24 hours;*
- f) *Demonstrate appropriate SuDS management and treatment and inclusion of above ground features such as swales, filter drains, ponds and lined permeable paving, where possible;*
- g) *Silt traps for protection of any residual tanked elements; and*
- h) *Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its Lifetime”.*

The following details have been submitted in support of this condition:

- Micro Drainage Calculations dated 20 June 2022
- Indicative Drainage Plan (drawing number: 2592-05 Rev A)

As development has commenced, this condition cannot be discharged. The details submitted would have been deemed insufficient for the reasons set out in the consultation response from the Lead Local Flood Authority, dated 14 July 2023.

#### Condition 5

Condition 5 states:

*“No development above ground level (other than works of demolition) shall take place until details of the materials to be used in the construction of the external surfaces of the flat roof for the flatted block and the secure cycle and refuse & recycling store building hereby granted have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented using the approved materials and subsequently, the approved materials shall not be changed”.*

The following details have been submitted in support of this condition:

- Proposed GF/FF Plans & South/East Elevations (drawing number: D 446 003C)

No details of the external surfaces of the flat roof for the flatted block and the secure cycle and refuse & recycling store have been submitted. The details submitted are therefore insufficient and refused.

## Condition 6

Condition 6 states:

*“No development above ground level (other than works of demolition) shall take place until details of the height of the ‘bowtop rail fence’ on drawing number 1016.20.1A have been submitted to and approved in writing by the Local Planning Authority. This fence must then be implemented in accordance with the approved details prior to first occupation of the development and retained permanently thereafter”.*

The submitted Proposed Bowtop Fencing Elevation (drawing number: F 466 009) is acceptable and discharges the details reserved by this condition. Please note that to fully comply with the requirements of this condition, the fence must be implemented in accordance with the approved details prior to first occupation of the development and retained permanently thereafter.

## Condition 7

Condition 7 states:

*“No development above ground level (other than works of demolition) shall take place until a scheme to protect future occupiers from noise due to transport sources has been submitted to and approved in writing by the Local Planning Authority, in accordance with the following requirements:*

- a) Indoor ambient noise levels in living rooms and bedrooms should meet the standards within BS 8233:2014;*
- b) Internal L<sub>Amax</sub> levels should not exceed 45dB more than ten times a night in bedrooms;*
- c) If opening windows raise the internal noise levels above those within BS8233, alternative methods must be submitted for consideration.*

*(Passive systems and rates will be considered, however, evidence that overheating will not occur will need to be provided in the form of a SAP assessment (other overheating assessments can be provided but will need to be agreed in writing by the local planning authority) conducted with windows closed, curtains/blinds not being used, showing the required ventilation rates to ensure that overheating will not occur. Details must be provided of the ventilation system to be installed and to demonstrate that it will provide the ventilation rates shown in the assessment. Mechanical ventilation should only be used as a last resort, once all other noise mitigation measures have been implemented (good acoustic design, orientation of sensitive rooms, bunds, noise barriers, passive systems or acoustic louvres). In such cases, the ventilation rates must meet those found within The Noise Insulation Regulations 1975).*

*d) Outdoor amenity areas will need to meet the 55dB WHO Community Noise Guideline Level. If outdoor amenity areas cannot comply, then it must be shown through measurements that a suitable place is available within 5 minute walk from the development that complies with the amenity noise level.*

*In terms of requirements (c) and ventilation, alternative methods (such as passive systems) and rates can be considered, however, evidence that overheating will not occur will need to be provided in the form of a SAP assessment conducted with windows closed, curtains/blinds not being used, showing the required ventilation rates to ensure that the medium risk category is not exceeded. Details must be provided of the ventilation system to be installed and to demonstrate that it will provide the ventilation rates shown in the SAP Assessment.*

*The approved scheme must be implemented prior to first occupation of the development and must be fully adhered to in perpetuity with the development”.*

The submitted Noise Impact Assessment (by Nova Acoustics Consultants, June 2022) is acceptable and discharges the details reserved by this condition. Please note that to fully comply with the requirements of this condition, the approved scheme must be implemented prior to first occupation of the development and must be fully adhered to in perpetuity with the development.

#### Condition 8a

Condition 8 states:

*“No development above ground level (excluding works of demolition) shall take place until a scheme setting out the arrangements for the delivery of accessible and adaptable housing is submitted to and approved in writing by the Local Planning Authority in accordance with the following requirements:*

- a) A schedule of units, together with appropriate plans and drawings, must be submitted to and be approved by the local planning authority setting out details of the number, layout and location of all units that will comply with Part M4(2) of the Building Regulations 2010;*
- b) All units specified as M4(2) in the agreed schedule and plans must be implemented in accordance with that approval and in compliance with the corresponding part of the Building Regulations in that regard;*
- c) The person carrying out the building work must inform the Building Control body which requirements apply; and*
- d) Written verification of the completion of all dwellings in accordance with part (a) above will be supplied to the local planning authority within 30 days of the practical completion”.*

The submitted Proposed GF/FF Plans & South/East Elevations (drawing number: D 446 003C) includes details of the number, layout and location of all units that will comply with Part M4(2) of the Building Regulations 2010. The details are acceptable and discharges Part A of this condition.

### Condition 9

Condition 9 states:

*“No development above ground level (excluding works of demolition) shall take place until a Biodiversity Enhancement Scheme (BES) has been submitted to and approved in writing by the Local Planning Authority. The approved BES must be implemented prior to first occupation of the development and retained permanently thereafter”.*

The submitted Ecological Enhancement Plan (by Betts Ecology and Estates, July 2022) is acceptable and discharges the details reserved under this condition. Please note that to fully comply with the requirements of this condition, the approved Ecological Enhancement Plan must be implemented prior to first occupation of the development and retained permanently thereafter.

### Condition 10

Condition 10 states:

*“No development above ground level (excluding works of demolition) shall take place until an Energy & Sustainability Statement has been submitted to and approved in writing by the local planning authority. This Statement must include measures to maximise energy conservation through the design of the buildings. The development shall be constructed in accordance with the agreed Statement and shall thereafter be maintained in the approved form”.*

The submitted Energy Assessment (by Clearstream, March 2022) is acceptable and discharges the details reserved under this condition. Please note that to fully comply with the requirements of this condition, the development shall be constructed in accordance with the agreed Statement and shall thereafter be maintained in the approved form.

### Condition 11

Condition 11 states:

*“Prior to above ground development of the secure cycle and refuse & recycling store building, details of wall climbing plants on the east elevation of this building must be submitted to and approved in writing by the Local Planning Authority. The approved details must be carried out in the first planting and seeding seasons following first occupation of the building. Any plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. All landscape works shall be carried out in accordance with the guidance contained in British Standards 8545: 2014”.*



Details of wall climbing plants have not been provided and so this condition is not discharged.

#### Condition 16

Condition 16 states:

*“Prior to first occupation of the development, details of external lighting must be submitted to an approved in writing by the Local Planning Authority.*

*The external lighting scheme must meet the requirements within the Institution of Lighting Professionals guidance notes for the reduction of obtrusive lighting, and should be designed to minimise light spill, in particular directing light away from any boundary vegetation / trees to enable dark corridors to be used by wildlife as well as directing lighting away from potential roost / nesting sites.*

*The approved external lighting scheme must be installed prior to first occupation of the development and maintained in good working order in perpetuity with the development”.*

The submitted External Lighting Plan (drawing number: F 446 010) is acceptable and discharges the details reserved by this condition. Please note that to fully comply with the requirements of this condition, the approved external lighting scheme must be installed prior to first occupation of the development and maintained in good working order in perpetuity with the development.

#### Condition 17

Condition 17 states:

*“Prior to first occupation of the development, the following details must be submitted to and approved in writing by the Local Planning Authority:*

- a) Details of bollards for the car parking spaces; and*
- b) A plan showing the location of bollards for each car parking space.*

*The approved details must be implemented prior to first occupation of the development and retained permanently thereafter”.*

The submitted Proposed Site Plan and Location Plan (drawing number: D 446 002C) illustrates and annotates the bollards and is sufficient to discharge the details reserved by this condition. Please note that to fully comply with the requirements of this condition, the approved details must be implemented prior to first occupation of the development and retained permanently thereafter.

## Condition 20

Condition 20 states:

*“Prior to first occupation of the development, a scheme which shows the parking space allocated to each flat must be submitted to and approved in writing by the local planning authority. The car parking allocation must be provided in accordance with approved details and retained thereafter”.*

The submitted Proposed Site Plan and Location Plan (drawing number: D 446 002C) shows that each flat would have a single parking space. This is acceptable and discharged the details reserved by this condition. Please note that to fully comply with the requirements of this condition, the car parking allocation must be provided in accordance with approved details and retained thereafter.

## Summary

As development has commenced, pre-commencement Conditions 1, 2, 3 & 4 cannot be discharged. The submitted details would have been sufficient to discharge Conditions 1, 2 & 3, while the details submitted under Condition 4 would have been deemed insufficient.

Sufficient information has been submitted to discharge the details reserved under Conditions 6, 7, 9, 10, 16, 17 & 20 and part discharge Condition 8 (Part A).

Insufficient information has been submitted under Conditions 5 & 11 and, consequently, these conditions are not discharged.

Should you require any clarification regarding the contents of this letter, please do not hesitate in contacting me at [d.elmore@welhat.gov.uk](mailto:d.elmore@welhat.gov.uk) and I will be pleased to advise you further.

Yours sincerely,



**David Elmore**

**Principal Major Development Management Officer**