

**WELWYN HATFIELD BOROUGH COUNCIL  
ASSISTANT DIRECTOR (PLANNING)**

**DELEGATED APPLICATION**

**Application No:** 6/2023/2115/FULL  
**Location:** 38 The Ridgeway Cuffley Potters Bar EN6 4AX  
**Proposal:** Erection of a detached dwelling with new vehicle entrance, crossover and basement  
**Officer:** Ms Jessica Fuller

**Recommendation:** Granted

6/2023/2115/FULL

<b>Context</b>	
<b>Site and Application description</b>	<p>The application site is located on the northern side of The Ridgeway, Cuffley, and comprises part of the residential garden of number 38 which is a large detached two storey dwelling. The garden mainly consists of amenity grassland (lawn) and some young trees and ornamental planting. The site itself is screened from all sides by trees, vegetation and fences at the boundaries.</p> <p>The Ridgeway includes a long ribbon of mainly large detached dwellings on both sides of the road. Plots are generally well-landscaped and the street-scene is verdant.</p> <p>Planning permission is sought for the erection of a detached dwelling with a new vehicle entrance, crossover and basement.</p> <p>The planning application follows a granted application for similar works, with the only material difference being the addition of a basement to accommodate an underground gym and swimming pool area.</p>
<b>Constraints</b>	<p>NPA - Northaw and Cuffley Neighbourhood Plan Area - Distance: 0  SAG - 0 - Distance: 0  GB - Greenbelt - Distance: 0  LCA - Landscape Character Area (Northaw Great Wood) - Distance: 0  LCA - Landscape Character Area (Northaw Common Parkland) - Distance: 0  PAR - PARISH (NORTHAW AND CUFFLEY) - Distance: 0  Wards - Northaw &amp; Cuffley - Distance: 0  HEN - No known habitats present (high priority for habitat creation) - Distance: 0  HEN - Existing S41 NERC Act habitat - Distance: 0  SAGB - Sand and Gravel Belt - Distance: 0  BLR - Brownfield Land Registry (Cuffley - 36 The Ridgeway) - Distance: 0</p>
<b>Relevant planning history</b>	<p>Application Number: E6/1972/4859/  Decision: Refused  Decision Date: 14 December 1972  Proposal: Site for 1 detached house and garage.</p> <p>Application Number: S6/1977/0486/  Decision: Granted</p>

	<p>Decision Date: 31 October 1977 Proposal: Private garage</p> <p>Application Number: S6/1986/0052/FP Decision: Granted Decision Date: 04 March 1986 Proposal: Front entrance lobby, single storey side extension and garage</p> <p>Application Number: S6/1994/0139/FP Decision: Granted Decision Date: 18 April 1994 Proposal: Two storey rear extension</p> <p>Application Number: S6/2011/0949/FP Decision: Refused Decision Date: 19 July 2011 Proposal: Replacement of front porch with stone portico, steps and columns, wrought iron gates with solid timber gates and brick piers and widening of existing crossover</p> <p>Application Number: S6/2011/1812/FP Decision: Granted Decision Date: 05 December 2011 Proposal: Replacement of front porch with stone portico, steps and columns</p> <p>Application Number: 6/2021/1252/FULL Decision: Granted Decision Date: 09/02/2022 Proposal: Erection of a detached dwelling with a new vehicle entrance and crossover</p>		
<b>Consultations</b>			
<b>Neighbour representations</b>	Support: 0	Object: 0	Other: 1
<b>Publicity</b>	<p>Site Notice Display Date: 2 November 2023 Site Notice Expiry Date: 23 November 2023 Neighbour notification letters</p>		
<b>Summary of neighbour responses</b>	<p>12 Gilders Sawbridgeworth - The commitment in the ecological report to a bird box integrated into the walls of the new building is welcome, but the model shown is less than ideal as it will only benefit a couple of species. Please instead specify an integrated box that complies with BS 42021:2022 and will therefore be universal. Examples are the Manthorpe Swift Brick or the S Brick from Action for Swifts.</p>		
<b>Consultees and responses</b>	<p>WHBC Client Services - There will be no additional impact on the existing refuse &amp; recycling services.</p> <p>WHBC Public Health and Protection - Recommend planning application is permitted but with conditions.</p> <p>Hertfordshire County Council - Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to conditions.</p>		

	<p>WHBC Parking Services - On site parking provision seems within keeping of a property of this size.</p> <p>The full version of submitted responses are available to view online.</p>
--	--

**Relevant Policies and Guidance**

National Planning Policy Framework

The Welwyn Hatfield Borough Council Local Plan 2016-2036:

- SP1 Delivering Sustainable Development
- SP3 Settlement Strategy and Green Belt Boundaries
- SP9 Place-making and High Quality Design
- SP10 Sustainable Design and Construction
- SP11 Protection and Enhancement of Critical Environmental Assets
- SADM11 Amenity and Layout
- SADM12 Parking, Servicing and Refuse
- SADM13 Sustainability Requirements
- SADM34 Development in the Green Belt

Northaw and Cuffley Neighbourhood Plan 2022-2036:

- D1 Residential Design and Amenity
- D2 Local Character

Planning Guidance:

- Supplementary Design Guidance 2005
- Supplementary Planning Guidance Parking Standards 2004
- Interim Policy for Car Parking Standards and Garage Sizes 2014
- Planning Practice Guidance

**Main Issues**

**Is the development within a conservation area?**

Yes  No

**Would the significance of the designated heritage asset be preserved or enhanced?**

Yes  No  N/A

**Comment** (if applicable):

**Green Belt**

The site is located within the Metropolitan Green Belt. As part of the extant planning permission at this site, it was determined that the proposal would be limited infilling in a village and therefore would be appropriate development in the Green Belt. As appropriate development in the Green Belt, an assessment of Green Belt openness and the purposes of including land within it was not required. Although the current proposal includes the addition of a basement, this does not change the Local Planning Authority's conclusion that the of the proposal as limited infilling in the Green Belt. It is therefore considered that the proposal would still constitute appropriate development in the Green Belt.

**Quality of design and impact on the character of the area**

Since the previous application, Welwyn Hatfield Borough Council have adopted a new Local Plan and the Northaw and Cuffley Neighbourhood Plan. The NPPF has also been revised. As such, the application is subject to assessment against the new policies. However, the same design guidance is still relevant. Although this has been taken into consideration in the assessment of the application, the previous planning permission is extant.

The proposal seeks planning permission for the erection of a detached dwelling with new vehicle entrance, crossover and basement. The planning application is materially the same as the granted application at this site, with the following minor alterations:

- Proposed ground floor plan - new stairs to the basement and the relocated coat cupboard into the new lobby off the stair hall.
- Proposed second floor plan - the study has moved to replace the gym. The space formerly occupied by the study is now a store/plantroom.
- Proposed roof plan – approved skylights are now centralised over the triple volume stair hall.
- The section is unchanged apart from the introduced basement.

As previously determined, it is considered that the size and visual presence of the proposed dwelling would be limited from the street scene by virtue of its set back positioning within the site, separation gaps between the built form, sympathetic height relative to the neighbouring dwellings, use of traditional materials and retention of the existing boundary landscaping which would partially screen the development. The scale and massing of the proposed building would also be commensurate to the other properties of the area. Therefore the new dwelling would not appear unduly prominent from the street scene, and would have a neutral impact of views across the landscape character area.

Overall, the proposed development would be in keeping with the form, layout and character of the area and would not appear visually over dominant or cramped to the detriment of the appearance of the street scene. The design of the proposal would be of a good quality and would respect and relate to the general character of the area and the surrounding dwellings. As the primary difference between the extant permission and this application involves the addition of a basement not visible within the street scene, it is considered the development accords with local and national policy.

**Would the development maintain the amenity of adjoining occupiers?** (e.g. privacy, outlook, light etc.)

Yes  No  N/A

**Comment** (if applicable):

A comment has been received from 12 Gilders Sawbridgeworth regarding the commitment in the ecological report to a bird box integrated into the walls of the new building. The resident went on to discuss how the model shown is less than ideal as it would only benefit a few species, and therefore recommended a different type of bird box should be used.

The previous planning application for this site considered the findings of the ecological report, and no concerns were raised with regards to the proposed ecological enhancements such as the integrated bird boxes within the fabric of the new building. Hertfordshire Ecology were consulted on the previous application and considered that the submitted ecology report provided an adequate assessment. Hertfordshire Ecology have not commented on this application. Whilst alternative bird boxes may be more beneficial, it would not be reasonable in this instance to or necessary to require provision by condition.

Neighbouring amenity was considered and deemed acceptable as part of the previously granted application at this site. As the main difference with this application consists of works underground, it is still considered that neighbouring amenity will be retained.

**Would the development provide / retain sufficient parking?**

Yes  No  N/A

**Comment** (if applicable):

Welwyn Hatfield Borough Council Parking Services commented on the application, discussing how on site parking provision seems within keeping of a property of this size. As parking was considered and deemed acceptable within the previously granted application, and no amendments to parking arrangements have been introduced, it is considered this is still the case.

**Sustainable design and construction**

The NPPF is clear that sustainable development is integral in determining planning applications. Policy SP10 of the Local Plan requires proposals to adopt sustainable design and construction principles through the design of buildings, materials and waste, water sensitive design, energy and climate change and landscape and biodiversity.

In terms of energy and climate change, this includes the layout and design of the site and building to reflect the energy hierarchy to maximise opportunities to reduce carbon emissions; the use of renewable and low carbon energy infrastructure is used; and proposals are responsive to how the climate will change over their lifetime and minimise their contribution to the urban heat island effect.

Further to this, Policy SADM13 of the Local Plan states all newly constructed dwellings will be required to achieve an estimated water consumption of no more than 110 litres/person/day, with water reuse and recycling and rainwater harvesting incorporated wherever feasible to reduce demand on mains water supply. It is also recommended that new dwellings deliver some of their energy requirements from decentralised and renewable or low-carbon sources.

No details have been submitted to demonstrate compliance with above policies. It is therefore appropriate to impose a condition requiring an energy statement to be submitted to and approved in writing by the Local Planning Authority. The statement must set out how the development will maximise energy conservation, incorporate measures to generate renewable energy and measures for long term water efficiency.

**Conclusion**

As previously determined, the erection of the new dwelling with new vehicle entrance and crossover is considered to have no significant adverse impact upon the character and appearance of the area, adjoining occupiers living conditions, nature conservation interests or highway safety. As the updated proposal incorporates development underground, it is not considered that the proposal will have any more impact than the extant permission. Accordingly and for the reasons given, the proposal is recommended for approval subject to conditions.

**Conditions:**

1. No development above ground level shall take place until full details of energy-efficient construction materials and processes, including measures for long term energy and water efficient use of the building, have been submitted to and approved in writing by the Local Planning Authority. These measures must promote the use of renewable resources and involve sustainable drainage, heating and power systems. The development shall not be carried out other than in accordance with the approved details.

REASON: To ensure that the development contributes towards sustainable development and energy efficiency in the interest of mitigating the impacts of climate change in accordance with the Welwyn Hatfield Borough Council Local Plan and the National Planning Policy Framework.

2. The development hereby approved shall be carried out in accordance with the mitigation measures in Section 5.2 of the submitted Preliminary Ecological enhancements of the assessment must be implemented and retained permanently thereafter within the constraints of any relevant EPS licence.

REASON: In order that the development achieves a net gain for biodiversity on the site in accordance with the Welwyn Hatfield Local Plan and the National Planning Policy Framework.

3. The development hereby approved shall be carried out in strict accordance with the submitted Arboricultural Method Statement and the Tree Protection Plan by Crown Arboricultural Consultants.

REASON: To protect the existing trees in the interest of visual amenity in accordance with the Welwyn Hatfield Local Plan and the National Planning Policy Framework.

4. All noisy works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Council, shall be carried out only between the hours of:

8.00am and 6.00pm on Mondays to Fridays  
8.00am and 1.00pm Saturdays  
and at no time on Sundays and Bank Holidays

If noisy works must be carried out beyond these times, then an application must be made for consideration by environmental health under the Control of Pollution Act 1974 (Section 61 application).

REASON: To protect residents from noise from construction works beyond reasonable times in line with the Welwyn Hatfield Local Plan and the National Planning Policy Framework.

5. Notwithstanding the approved plans, no above ground development shall take place until full details on a suitably scaled plan of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details. The landscaping details to be submitted shall include:
  - a. original levels and proposed finished levels [earthworks to be carried out]
  - b. means of enclosure and boundary treatments including details of the front gate.
  - c. hard surfacing, other hard landscape features and materials
  - d. existing trees, hedges or other soft features to be retained and a method statement showing tree protection measures to be implemented for the duration of the construction
  - e. planting plans, including specifications of species, sizes, planting centres, number and percentage mix, and details of seeding or turfing

REASON: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted in accordance with the Welwyn Hatfield Local Plan and the National Planning Policy Framework.

6. No above ground development shall take place until details relating to any external lighting scheme (including vertical lux diagrams which show potential light trespass into windows of nearby residential properties) have been submitted to and agreed in writing by the Local Planning Authority. This scheme must meet the requirements within the Institution of Lighting Professionals guidance notes for the reduction of obtrusive lighting. The agreed lighting shall subsequently be implemented.

REASON: To protect the amenity of existing residential properties in the near vicinity to the development in accordance with the Welwyn Hatfield Local Plan and the National Planning Policy Framework.

7. No above ground development in any phase of the development shall take place until samples of the materials to be used in the construction of the external surfaces of the 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.

REASON: To ensure a satisfactory standard of development in the interests of visual amenity in accordance with the Welwyn Hatfield Local Plan and the National Planning Policy Framework.

8. Prior to first occupation of the development, the applicant shall submit to, for approval in writing by the Local Planning Authority, details relating to a scheme to protect the proposed development from noise due to transport sources which shall be implemented before any part of the accommodation hereby approved is occupied, unless the Local Planning Authority otherwise agrees in writing.

The scheme shall ensure the indoor ambient noise levels in living rooms and bedrooms meet the standards within BS 8233:2014. Internal L<sub>Amax</sub> levels should not exceed 45dB more than ten times a night in bedrooms. Relaxed noise levels will be considered if it can be shown that good acoustic design has been implemented and all steps have been taken to achieve the non-relaxed noise levels in BS8233:2014.

Where opening windows raises the internal noise levels above those within BS8233, other methods of ventilation/attenuation will have to be implemented.

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 such as a TM59 assessment) 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 can be installed, with ventilation rates required to provide 4 air changes per hour to habitable rooms. However, 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).

Outdoor amenity areas should meet the 55dB WHO Community Noise Guideline Level. A slight relaxation of this level (up to 3dB) will be considered, if it can be demonstrated that all reasonable steps have been taken to reduce the level as much as possible, (such as noise barriers, shielding, good acoustic design etc). If outdoor amenity areas cannot comply, then it should be shown through measurements that a suitable place is available within 5 minutes' walk from the development that complies with the amenity noise level.

REASON: To protect the occupants of the new development from noise disturbance in line with the Welwyn Hatfield Local Plan, Supplementary Design Guidance, and the National Planning Policy Framework.

9. Prior to the first occupation of the development hereby permitted the vehicular access shall be completed and thereafter retained as shown on drawing number 207-213 in accordance with details/specifications to be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. Prior to use appropriate arrangements shall be made for surface water to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

REASON: To ensure satisfactory access into the site and avoid 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).

10. Prior to the first occupation of the development hereby permitted (or Prior to the commencement of the use hereby permitted) a vehicular visibility splay shall be provided in full accordance with the details indicated on the approved plan number 207-213. The splay shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

REASON: To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

11. Prior to the first occupation of the development hereby permitted, a triangular vision splay shall be provided on each side of the new access and shall measure 2 metres along the fence, wall, hedge or other means of definition of the front boundary of the site, and 2 metres measured into the site at right angles to the same line along the side of the new access drive. The vision splays so described and on land under the applicant's control shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the adjoining footway level.

REASON: To ensure construction of a satisfactory development and in the interests of highway pedestrian safety in accordance with Policies 5 and 7 of Hertfordshire's Local Transport Plan (adopted 2018).

12. Prior to the first occupation of the development hereby permitted the access gates shall be hung to open inwards, set back, and thereafter retained a minimum distance of 5.5 metres from the edge of the highway as shown on drawing 207-214.

REASON: To enable vehicles to safely draw off the highway before the gate(s) or obstruction is opened and/or closed in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).



13. Prior to the first occupation of the development hereby permitted, the proposed on-site car parking shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter and made available for that specific use.

REASON: To ensure the permanent availability of the parking and manoeuvring area, in the interests of highway safety in accordance with the Welwyn Hatfield Local Plan and the National Planning Policy Framework.

14. Prior to occupation of the development hereby permitted, the bicycle store must be provided and made available for use. The cycle parking must be retained in that form thereafter.

REASON: In order to ensure that there is adequate provision for secure cycle accommodation within the application site, encouraging alternative modes of transport in accordance with the Welwyn Hatfield Local Plan and the National Planning Policy Framework.

15. Apart from the opening to be created for the proposed vehicular entrance gates and associated vision splays, the existing front boundary hedge shall be maintained at a height no lower than two metres at all times in perpetuity. If the hedge or any hedge planted in replacement for it, is removed, uprooted, destroyed or dies, another hedge of the same species and height as that originally planted shall be planted at the same place and shall be maintained at all times in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To protect the visual amenity of the site in accordance with the Welwyn Hatfield Local Plan and the National Planning Policy Framework.

16. All agreed landscaping comprised in the above details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the first building, the completion of the development, or in agreed phases whichever is the sooner: and 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.

REASON: To ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development in accordance with the Welwyn Hatfield Local Plan and the National Planning Policy Framework.

17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no enlargements under Class A, Class AA, B or E of Part 1 of Schedule 2 shall take place.

REASON: To enable the Local Planning Authority to fully consider the effects of development normally permitted by that Order in the interests of Green Belt appropriateness; the openness, character and appearance of the Green Belt in accordance with the Welwyn Hatfield Local Plan and the National Planning Policy Framework.

## DRAWING NUMBERS

18. The development/works shall not be started and completed other than in accordance with the approved plans and details:

<b>Plan Number</b>	<b>Revision Number</b>	<b>Details</b>	<b>Received Date</b>
207-202		Proposed Site Plan	18 October 2023
207-203		Proposed Basement Plan	18 October 2023
207-204		Proposed Ground Floor Plan	18 October 2023
207-205		Proposed First Floor Plan	18 October 2023
207-206		Proposed Second Floor Plan	18 October 2023
207-207		Proposed Roof Plan	18 October 2023
207-208		Proposed North And West Elevations	18 October 2023
207-209		Proposed South And East Elevations & South Garage	18 October 2023
207-210		Proposed Long Section	18 October 2023
207-211		Existing And Proposed Street Elevations	18 October 2023
207-212		Location Plan	18 October 2023
207-213		Visibility Splays	18 October 2023
207-214		Main Gate Details	18 October 2023
207-215		Parking Access Cycle Store And Vehicle Charging Points	18 October 2023
207-201		Location Plan And Aerial View	18 October 2023

REASON: To ensure that the development is carried out in accordance with the approved plans and details.

#### 1. POSITIVE AND PROACTIVE STATEMENT

The decision has been made taking into account, where practicable and appropriate the requirements of paragraph 38 of the National Planning Policy Framework and material planning considerations do not justify a decision contrary to the development plan (see Officer's report which can be viewed on the Council's website or inspected at these offices).

#### **Informatives:**

1. This permission does not convey any consent which may be required under any legislation other than the Town and Country Planning Acts. Any permission required under the Building Regulations or under any other Act, must be obtained

from the relevant authority or body e.g. Fire Officer, Health and Safety Executive, Environment Agency (water interest etc.) Neither does this permission negate or override any private covenants or legal interest (easements or wayleaves) which may affect the land.

2. It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. 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 and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.
3. 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 County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.
4. 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 County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.
5. 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 1234047.
6.
  1. The best practicable means, as defined in section 72 of the Control of Pollution Act 1974, to reduce noise to a minimum shall be employed at all times
  2. All plant and machinery in use shall be properly silenced and maintained in accordance with the manufacturers' instructions

3. All compressors shall be sound reduced models, fitted with properly lined and sealed acoustic covers, which shall be kept closed whenever the machines are in use. All ancillary pneumatic percussive tools shall be fitted with mufflers or silencers of the type recommended by the manufactures.
  4. All machines in intermittent use shall be shut down during intervening periods between work, or throttled down to a minimum. Noise emitting equipment, which is required to operate continuously, shall be housed in suitable acoustic enclosures.
  5. Items of plant and equipment shall be maintained in good condition so that extraneous noise from mechanical vibration, squeaking or creaking is reduced to a minimum.
  6. All pile driving shall be carried out by a recognised noise reducing system.
  7. Where practical, rotary drills and bursters, actuated by hydraulic or electric power shall be used for excavating hard material
  8. In general, equipment for breaking concrete and the like, shall be hydraulically actuated.
  9. 'BS 5228 Noise Control on Construction Sites' should be referred to for guidance in respect of all work carried out by the developer, their main contractor and any sub contractors.
  10. Any emergency deviation from these conditions shall be notified to the Council without delay
  11. Any planned deviations from these conditions for special technical reasons, shall be negotiated with Council at least 14 days prior to the commencement of the specific work.
  12. Permissible noise levels are not specified at this stage.
7.
    1. All efforts shall be made to reduce dust generation to a minimum.
    2. Stock piles of materials for use on the site or disposal, that are likely to generate dust, shall be sited so as to minimise any nuisance to residents or neighbouring businesses. Materials for disposal shall be moved off site as quickly as possible.
    3. Water sprays shall be used, as and when necessary, to reduce dust from particularly "dusty" activities or stock piles.
  8. Bats and their roosts are protected at all times under domestic and European law. Works should proceed with caution, and in the event of bats or evidence of them being found, work must stop immediately and advice taken on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England: 0300 060 3900.

**Determined By:**

Mr Mark Peacock  
14 December 2023