

26 September 2006

Our ref: R&DCtte/Oct06  
Contact: Donna Levett  
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To: Members of the Royston and District Committee of North Hertfordshire District Council

(Councillors Mrs F.R. Hill (Chairman), H.M. Marshall (Vice-Chairman), Liz Beardwell, P.C.W. Burt, A.F. Hunter, R.E. Inwood, and F.J. Smith)

You are invited to attend a meeting of the  
**ROYSTON & DISTRICT COMMITTEE**

to be held at

**THE COMMITTEE ROOM, TOWN HALL, MELBOURN  
STREET, ROYSTON**

on

**WEDNESDAY 4 OCTOBER 2006**

at

**7.30 p.m.**

Yours sincerely,



David Miley  
Democratic Services Manager

**AGENDA**  
**PART I**

<b>ITEM</b>	<b>PAGE</b>
<b>1. APOLOGIES FOR ABSENCE</b>	-
<b>2. MINUTES</b> To take as read and approve as a true record the minutes of the meetings of this Committee held on the 23 August 2006.	-
<b>3. NOTIFICATION OF OTHER BUSINESS</b> Members should notify the Chairman of other business which they wish to be discussed by the Committee at the end of the business set out in the agenda. They must state the circumstances which they consider justify the business being considered as a matter of urgency.  The Chairman will decide whether any item(s) raised will be considered.	-
<b>4. DECLARATIONS OF INTEREST</b> To receive from Members of the Committee any Declarations of Interest in respect of business set out in the agenda. Members should either declare a prejudicial or personal interest and are required to notify the Chairman of the nature of any interest declared.  Members declaring a prejudicial interest should not seek to influence the decision and leave the room during that particular item of business.	-
<b>5. PUBLIC PARTICIPATION</b> To receive petitions, comments and questions from members of the public. No requests to speak have been received to date.  Any public participation requests received within the agreed time will be notified to Members as soon as practicable.	-
<b>6. CHAMPION NEWS</b> REPORT OF THE HEAD OF COMMUNITY DEVELOPMENT AND CULTURAL SERVICES  <i>A summary of the activities undertaken by the Community Development Officer for Royston since the meeting of the Committee held on 23 August 2006 and events taking place in forthcoming months.</i>	<b>1</b>
<b>7. AREA COMMITTEE DEVELOPMENT BUDGET 2006/2007</b> REPORT OF THE HEAD OF COMMUNITY DEVELOPMENT AND CULTURAL SERVICES  <i>The current budget balances for the Committee and a grant application from Kelshall Village Hall.</i>	<b>3</b>

- 8. PLANNING APPLICATIONS** **9**  
REPORT OF THE HEAD OF PLANNING AND BUILDING CONTROL
- Planning application for determination by the Committee – Johnson Matthey Plc, Orchard Road, Royston.*
- 9. PLANNING APPEALS** **21**  
ORAL REPORT OF THE HEAD OF PLANNING AND BUILDING CONTROL
- An update for the Committee on any Planning Appeals that have been lodged or determined since the meeting of the Committee held on 23 August 2006.*
- 10. CAR PARKING IN KNEESWORTH STREET, ROYSTON** **To**  
REPORT OF THE HEAD OF COMMUNITY DEVELOPMENT & **Follow**  
CULTURAL SERVICES

Future meetings of the Royston & District Committee will be held on:

15 November 2006  
20 December 2006  
31 January 2007  
14 March 2007  
25 April 2007

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# ROYSTON AREA COMMITTEE

4 OCTOBER 2006

**\*PART 1 – PUBLIC DOCUMENT**

**AGENDA ITEM No.**

**6**

## **TITLE: CHAMPION NEWS**

**REPORT OF THE HEAD OF COMMUNITY DEVELOPMENT & CULTURAL SERVICES**

### **1. PURPOSE OF REPORT**

- 1.1 To advise the Committee of the activities and schemes with which the Community Development Officer has been involved during the past month.
- 1.2 To bring to the Committee's attention some important community based activities that will be taking place during the next few months.

### **2. PROJECT/ACTIVITY/SCHEME DETAILS**

#### **2.1 Sports issues**

Attendance at the Serby Avenue Out 2 Play sessions this year was the highest in the District, with 111 children attending: a letter of compliment was received from a parent. The next highest attendance was Clothall with 99 attenders.

#### **2.2 Grants**

Support has been given to Kelshall Village Hall, seeking a grant to adapt the building for a playgroup. They are not eligible for a Parish Challenge award this year, having received funds for DDA improvements last year.

#### **2.3 Events**

A letter has been received from the Rotary Club of Royston, in thanks for support provided to the Kite Festival this year. The Club attributes success this year to better publicity through the local press and delivery of 12,000 leaflets in and around the town.

#### **2.4 Other issues**

Discussions are under way with a view to moving the town's Christmas Tree to a site which could accommodate a town carol singing event. The Vicar is keen to move this forward, but it may well be that a Faculty is required to enable works below ground in an area clearly visible from the road but able to hold several hundred people in safety. The need for a Faculty may well cause implementation to be deferred until next year.

#### **2.5 Area Visioning**

The installation of electrical supplies via power bollards in the Marketplace is proving difficult. Hertfordshire Highways has indicated that the proposed position for bollards on the footway adjacent to Angel Pavement will not be permitted, despite the fact this will reduce the risk to passers-by from electrical cabling. The CDO is seeking a site meeting with the Highways Assistant District Manager to discuss alternative locations.

### **3. RECOMMENDATIONS**

- 3.1 That the Committee endorses the actions taken by the Community Development Officer to promote greater community capacity and well-being.

### **4. CONTACT OFFICER**

- 4.1 Alan Fleck (Community Development Officer, Royston Area)  
Tel: 01462-474274  
E-Mail: [alan.fleck@north-herts.gov.uk](mailto:alan.fleck@north-herts.gov.uk)

**TITLE OF REPORT: AREA COMMITTEE DEVELOPMENT BUDGET 2006/2007  
REPORT OF THE HEAD OF COMMUNITY DEVELOPMENT & CULTURAL SERVICES****1. PURPOSE OF REPORT**

- 1.1 To advise the Committee on the current expenditure and balances of the Area Committee delegated budgets.
- 1.2 To request a Committee decision on the grant applications as set out in the Appendices.

**2. FORWARD PLAN**

- 2.1 This report does not contain a recommendation on a key decision and has not been referred to in the Forward Plan.

**3. FUNDING DECISIONS TO BE MADE**

- 3.1 An application has been received from Kelshall Village Hall for £1,065 for the cost of a fence to enable children of the playgroup to play safely outside the building. This is appended as Appendix B.

**4. STATEMENT OF COMMITTEE DELEGATED BUDGETS 2006/2007**

- 4.1 The statement of the Committee's budgets is appended as Appendix A.
- 4.2 There is a balance of £3,060 available in the Small Area Grants budget.
- 4.3 There is a balance of £16,990 available in the Discretionary Budget.

**5. LEGAL IMPLICATIONS**

- 5.1 There are no legal implications pertinent to this report.

**6. FINANCIAL AND HUMAN RESOURCE IMPLICATIONS**

- 6.1 Members are asked to note the information detailed in Section 4 of the report (Appendix A) relating to previous awards.

**7. CONSULTATION WITH EXTERNAL ORGANISATIONS AND WARD MEMBERS**

- 7.1 Ward Members and applicant groups have been consulted.

## **8. RECOMMENDATIONS**

- 8.1 The Committee is asked to note the current expenditure and balance of the Development Budget.

## **9. REASONS FOR RECOMMENDATIONS**

- 9.1 The awarding of financial assistance to voluntary and community organisations

## **10 APPENDICES**

- 10.1 Appendix A – Statement of Committee Delegated Budgets 2006/2007
- 10.2 Appendix B – Grant Application Form – Kelshall Village Hall

## **11. CONTACT OFFICERS**

- 11.1 Alan Fleck (Community Development Officer, Royston)  
Tel. 01462 474274  
E-mail: [alan.fleck@north-herts.gov.uk](mailto:alan.fleck@north-herts.gov.uk)
- 11.2 Steve Smither (Group Accountant, Customer Services)  
Tel. 01462 464566  
E-mail: [steve.smither@north-herts.gov.uk](mailto:steve.smither@north-herts.gov.uk)

## **12. BACKGROUND PAPERS**

- 12.1 None.

Statement of Committee Delegated Budgets 2006/2007

<u>SUMMARY/ TOTALS</u>	<u>Funding</u>	<u>Allocated</u>	<u>Spent</u>	<u>Outstanding</u>	<u>Unallocated Budget</u>				
<u>VISIONING</u>	£81,640	£18,940	£10,786	£8,154	£62,700				
<u>SMALL AREA GRANTS</u>	£4,244	£1,184	£750	£434	£3,060				
<u>DISCRETIONARY</u>	£46,706	£29,716	£8,847	£20,870	£16,990				
<b>Total</b>	<b>£132,590</b>	<b>£49,840</b>	<b>£20,383</b>	<b>£29,458</b>	<b>£82,750</b>				

<u>VISIONING</u>	<u>Funding</u>	<u>Year Allocated</u>	<u>Project</u>	<u>Allocated</u>	<u>Date</u>	<u>Spent</u>	<u>Outstanding</u>	<u>Unallocated Amount</u>	<u>Comments</u>
Preallocated Funds Brought Forward from 05/06	£18,940	2003/2004	Conservation Plan	£3,250	10.11.04	£0	£3,250		
		2004/2005	Youth Event	£4,000	10.11.04	£3,286	£714		£4000 allocated in 0405
		2004/2005	Community Event	£7,500	10.11.04	£7,500	£0		
		2004/2005	Kneesworth St Bus stops - additional seating	£1,400	15.12.04	£0	£1,400		Allocated from 2005/06 budget
		2005/2006	Royston Town Council/East of England	£2,000	24.03.06	£0	£2,000		
		2003/2004	Visioning Process	£790	31.03.04	£0	£790		
Capital Visioning	£62,700								
<b>Total</b>	<b>£81,640</b>			<b>£18,940</b>		<b>£10,786</b>	<b>£8,154</b>	<b>£62,700</b>	

Statement of Committee Delegated Budgets 2006/2007

<b>DEVELOPMENT BUDGETS</b>										
<b>SMALL AREA GRANTS</b>	<b>Funding</b>			<b>Project</b>	<b>Allocated</b>	<b>Date</b>	<b>Spent</b>	<b>Outstanding</b>	<b>Unallocated Amount</b>	<b>Comments</b>
Preallocated Funds Brought Forward from 05/06	£434			Health Walks	£434	24.08.05	£0	£434		
Base Budget for 2006/07	£3,810			Royston Kite Festival	£750	31.05.06	£750	£0		
<b>Total</b>	<b>£4,244</b>				<b>£1,184</b>		<b>£750</b>	<b>£434</b>	<b>£3,060</b>	

<b>DISCRETIONARY BUDGETS</b>										
<b>DISCRETIONARY BUDGETS</b>	<b>Funding</b>			<b>Project</b>	<b>Allocated</b>	<b>Date</b>	<b>Spent</b>	<b>Outstanding</b>	<b>Unallocated Amount</b>	<b>Comments</b>
Preallocated Funds Brought forward from 05/06	£26,716			Recycling Bins Tesco Site	£3,000	20.04.05	£1,975	£1,025		
				Vehicle Activated Signs - London Rd & Baldock St	£6,720	20.04.05	£0	£6,720		
				CCTV Camera Burns Rd Community Centre	£375	24.08.05	£347	£29		
				Royston Town Trail Leaflets	£330	05.10.05	£299	£31		
				Community Centres Booklet	£250	16.11.05	£0	£250		
				Replacement fencing - Burns Rd Community Centre	£1,651	15.03.06	£1,651	£0		
				Repair Fence at Swift Close/ Blakes Close Royston	£400	15.03.06	£544	-£144		
				Repair work to fence at Betjeman Road, Royston	£200	15.03.06	£0	£200		
				Young People of the Year Awards	£1,000	15.03.06	£1,000	£0		
				Hanging Baskets	£12,790	15.03.06	£2,031	£10,759		
Base Budget for 06/07	£19,990			Young People of the Year Awards	£1,000	26.04.06	£1,000	£0		
				Royston Day Care Centre	£1,000	12.07.06	£0	£1,000		
				Royston Celtic Football Club	£1,000	12.07.06	£0	£1,000		
<b>Total</b>	<b>£46,706</b>				<b>£29,716</b>		<b>£8,847</b>	<b>£20,870</b>	<b>£16,990</b>	

Statement of Committee Delegated Budgets 2006/2007



**TITLE OF REPORT: PLANNING APPLICATIONS**  
REPORT OF THE HEAD OF PLANNING AND BUILDING CONTROL**Local Government (Access to Information) Act 1985 and Local Government Act 1972**

In respect of each of the following reports concerning individual applications for planning permission, Listed Building Consent, the whole of the application file shall be regarded as background papers for the purposes of Section 100(d) of the 1972 Act.

**AGENDA INDEX**

<b>ITEM:</b>	<b>REF NO:</b>	<b>LOCATION:DESCRIPTION</b>	<b>CONTACT OFFICER:</b>	<b>PAGE:</b>
1.	06/01055/1	<b>Johnson Matthey Plc, Orchard Road, Royston, SG8 5HE</b> Erection of new production building incorporating service link to existing production building, warehouse and technical building following demolition of existing single storey buildings, provision of 88 parking spaces, revised access from Beverley Close and alterations to internal road layout, new vent stack, acoustic fencing and additional landscaping and ancillary works (as amended by drawing no. P26 Rev A and P24 Rev B dated 31st July 2006)	<b>Tom Rea</b> 01462 474565	11

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<b>ITEM NO: 1</b>	<u>Location:</u>	<b>Johnson Matthey Plc, Orchard Road, Royston, SG8 5HE</b>
	<u>Applicant:</u>	<b>Johnson Matthey</b>
	<u>Proposal:</u>	<b>Erection of new production building incorporating service link to existing production building, warehouse and technical building following demolition of existing single storey buildings, provision of 88 parking spaces, revised access from Beverley Close and alterations to internal road layout, new vent stack, acoustic fencing and additional landscaping and ancillary works (as amended by drawing no. P26 Rev A and P24 Rev B dated 31st July 2006)</b>
	<u>Ref.No:</u>	<b>06/01055/ 1</b>
	<u>Officer:</u>	<b>Tom Rea 01462 474565</b>

**Date of expiry of statutory period:** 24 October 2006

**Reason for Referral to Committee:** The site area exceeds 1 hectare

## **1. Relevant History**

- 1.1 There have been many applications for operational and built development on this site in recent years. The most notable relevant applications in recent years are as follows:
1. Permission granted in 1998 for the provision and relocation of the main car park comprising 392 spaces
  2. Permission granted in 2001 for a four storey extension to precious metal refinery
  3. Permission granted in 2002 for a testing and production building with laboratories at first floor and two storey offices
  4. Permission granted in February 2005 for the erection of a three storey extension to office building (Orchard Road access).
- 1.2 On 6th June 2006, the applicants held a pre-application consultation meeting at the Johnson Matthey Sports and Social Club to present the proposals which are the subject of this application. An invitation was made to residents in Orchard Way, Royston Town Councillors and District Councillors. Officers from the District Council were also in attendance at the meeting.

## **2. Policies**

- 2.1 **Hertfordshire County Structure Plan Review 1991-2011**  
Policy 14, Development for Employment Needs  
Policy 25, Car Parking Supplementary Planning Guidance adopted December 2000
- 2.2 **North Hertfordshire District Local Plan No 2 with Alterations**  
Policy 36, Employment provision  
Policy 50: Flooding  
Policy 51: Development Effects and Planning Gain

### 3. Representations

- 3.1 **Royston Town Council** - "No objections"
- 3.2 **Health and Safety Executive** (consulted in view of proximity of site of hazardous installation within the Johnson Matthey site) - "HSE does not advise, on safety grounds, against the granting of planning permission in this case".
- 3.3 **County Highway Authority** - Requested a full Transport Assessment to review all of the transport impacts of the development and identify measures to minimise any adverse consequences. Any further comments will be reported at the meeting.
- 3.4 **Environment Agency** - "Object to the proposed development as the application is not accompanied by a Flood Risk Assessment (FRA) as required by PPG 25. The objection may be withdrawn if the applicant could undertake an appropriate FRA that satisfies our concerns"
- 3.5 **Environmental Health:** Recommend conditions
- 3.6 **Statutory publicity/Local Residents** - The application has been advertised both on site and in the local press as a proposal constituting a major development. Commercial premises in Orchard Road and York Way in addition to local residents in Orchard Way have been notified of the application. Representations have been received from the occupier of No. **36 Orchard Way** who refers to the extensive flooding and damage caused to the property after heavy rainfall in late July. The occupier would like assurances that the drains within the Johnson Matthey site are enlarged or repaired before the sports pitch is removed. The occupier also requests that the drains do not carry waste chemicals.

### 4. Planning Considerations

#### 4.1 Site & Surroundings

- 4.1.1 The application site comprises an L-shaped piece of land (1.69 hectares) located within a central section of the Johnson Matthey site between the main York Way and Orchard Road vehicular entrances to the site. The application site also abuts the north eastern boundary of the site with residential properties in Orchard Way. At present the site is occupied by a full size football pitch, car parking areas, internal access roads and single storey industrial buildings.

#### 4.2 Proposal

- 4.2.1 The applicant company seeks the erection of two new buildings and associated plant in order to modernise and improve existing manufacturing processes at the site. In detail, the proposals involve the following buildings and works:
- Erection of a three storey production building (CSF-2 building) with automated service routes linking at ground and first floor level to the existing processing plant adjoining the York Way frontage. This building would have an overall floorspace of 3150 sqm and a maximum height of 17m above ground level. At ground floor level adjacent the building new plant rooms are proposed in addition to a 35m high chimney stack. The building would incorporate a number of window openings on the eastern elevation at ground, first and second floor level. The building would be 45m from the eastern boundary of the site at its

nearest point.

- Erection of a warehouse and technology centre building with high level link to the existing technology building fronting Orchard Road. This building would consist of a three storey test and technology building adjoining a taller warehouse building with an overall floorspace of 5165 sq.m. The height of the building would range from 10m to 17.5m above ground level. The building would be sited 65m from the eastern boundary of the site at its nearest point.
- Removal of the existing football pitch and provision of a new internal access road into the centre of the site from the Beverley Close entrance providing a one way access route for goods vehicles with an exit via the existing vehicular access onto York Way.
- Reduction of existing car park and provision of new 88 space car parking area.
- Provision of new 2.1m high timber acoustic fence along a 110m stretch of the eastern boundary of the site.
- Provision of new landscape area and tree planting along the eastern boundary.

4.2.2 The application is accompanied by a Design Statement, a Green Travel Plan, a Transport Impact Study, a Flood Risk Assessment (FRA), an acoustic barrier design report and rainwater run off report. The applicants have also supplied a car park plan for the whole of the Johnson Matthey site indicating the car park provision with the development proposals.

4.2.3 The Transport Impact Study has recently been submitted and comments from the Highway Authority incorporating the County Council's Passenger Transport Unit's comments will be reported at the meeting.

#### 4.3 **Key Issues**

4.3.1 The principle of additional manufacturing and warehousing floorspace on this site is not in question in view of the established use of the site and the allocation in the District Local Plan for employment purposes. The key issues therefore relate to the following:

- the siting, design and appearance of the buildings and impact on the street scene and the wider area
- the impact of the development on the amenities of adjoining residents
- the adequacy of on-site parking facilities and highway issues
- impact on the floodplain and flooding issues generally
- the loss of the football pitch

4.3.2 The proposed buildings are clearly of a considerable massing and scale and their general appearance utilitarian in order to accommodate the intended production and warehousing activities. That said, due regard must be had to the overall size of the site and its industrial nature and setting within an employment area. The siting of the buildings would be on a generally open area within the centre of the site towards the north eastern boundary. The new buildings would be sited behind the existing new headquarters building and technology centre which front Orchard Road to the south and the existing processing plant that adjoins the York Way boundary to the north. The proposed new buildings are of a comparable height to the existing production buildings, headquarters building and technology centre and also comparable in footprint terms with these and other buildings on the Johnson Matthey site. I therefore conclude that although the new buildings are large, they are not out of context with the existing pattern of development.

4.3.3 It is accepted that by infilling the open area of the site between existing buildings there will be a change to the skyline views of the site from a number of vantage points outside of the site. However, I consider that a precedent is set for tall, bulky

industrial buildings in the locality and against the background of these buildings I do not consider that the proposals will be unduly dominant or detract from the landscape. With regard to the proposed new stack, the existing skyline across the site is punctuated by several stacks and given this situation together with the close siting of the stack against the CSF -2 production building, I consider that the stack would be visual acceptable and in keeping with the overall industrial appearance of the site.

- 4.3.4 The design of the new buildings has evolved through the requirement to screen some of the older unattractive buildings on the site and draw on the higher quality design features of the new headquarters building. The prominent elevation of the proposed CSF-2 production building facing east towards the headquarters building and neighbouring houses in Orchard Way incorporates a variety of window patterns, colours and textures of sheeting materials in order to reduce the visual impact and scale of these buildings.
- 4.3.5 The main impact of the proposed development on local residents would be on those residents adjoining the site in Orchard Way. The siting of the proposed buildings would affect to some extent the open views into the centre of the site from the rear elevations of these properties however it is unlikely in my judgement that these properties will suffer any loss of light or overbearing impact given the distance of the proposed buildings from the eastern boundary of the site (between 45 - 65m) and the average depth (approximately 13m) of the rear gardens to these properties.
- 4.3.6 The proposals would involve the extension of an existing access road from Beverley Close into the site with the alignment of the access curving into the site away from the eastern boundary. Additional heavy goods vehicle movement closer to the eastern boundary is proposed as a result of the new internal access road however this would be offset by the introduction of a 2.1m high acoustic fence designed to contain noise and disturbance together with additional landscaping comprising trees and shrubs between the access road and the eastern boundary. The applicants noise report recommends the provision of the acoustic barrier however the report states that even without the barrier, the calculated noise level at the nearest houses is given as 57 dB(A) which falls within Noise Exposure Category (NEC) B as set out in Planning Policy Guidance Note PPG 24 (Planning and Noise) (1994). NEC B requires that noise be taken into account when determining planning applications and recommends that conditions are attached where appropriate. The Environmental Health Officer has requested that a condition is attached in accordance with this advice requiring a noise survey to be submitted and approved in writing by the Local Planning Authority.
- 4.3.7 Taking into account the noise survey conclusions, the proposed landscaping and acoustic fence measures and the distance of the proposed new buildings from the residential properties in Orchard Way I conclude that there are no grounds to suggest that the development would have a detrimental impact on adjoining residents.
- 4.3.8 No new accesses are proposed into the site as part of the development although the Beverley Close entrance will be modified. The main highway issue is the provision of parking within the site to meet the likely parking demand associated with the new floorspace. The development should be assessed in the light of the standards set out in the Supplementary Planning Document (Vehicle Parking Provision at New Development) and the required additional spaces, taking into account the zonal restraint for Royston, should be provided on the site. The calculation is not straightforward as the development proposes a mixture of B2 (General Industrial) and B8 (Storage and Distribution) uses where the maximum car parking standards range from 1 space per 50sqm or 1 space per 75 sqm. In

addition, one must factor in the unique processes involved including highly automated systems and the relatively low additional employment (39 employees). The applicant has produced a car parking analysis of existing and proposed car parking spaces at the site which includes reference to additional staff car parking capacity (130 spaces) at a site opposite the York Way entrance which is currently the subject of a separate application by the applicants (ref: 06/01890/1). The conclusion drawn by the applicants, which I concur with, is that the net increase of 30 spaces as a result of the proposals including the 130 space car park application (if granted) would accommodate the small increase in employees as a result of the proposals.

- 4.3.9 A further factor to be taken into account when considering car parking provision is the Green Travel Plan submitted with the application. The document sets out the clear aims of the applicants to reduce the number of car journeys to and from the site through the promotion of walking, cycling, the use of public transport and car sharing. Having received details of the total available parking within the complex, the level of additional employment proposed (39) compared to existing employment (1081), I am satisfied that, with the implementation of the policies contained in the Green Travel Plan that the proposed parking provision is acceptable.
- 4.3.10 The site is within a Floodzone 1 as defined in Planning Policy Guidance PPG 25 Development and Flood Risk (July 2001). The applicant has submitted a Flood Risk Assessment in accordance with the advice of the Environment Agency. An update on the EA's response to this report will be provided at the meeting.
- 4.3.11 A concern which has been raised particularly with the loss of the football pitch is the potential for flooding of adjoining properties in Orchard Way as happened in July this year during heavy rainstorms. A separate report on the drainage measures proposed to deal with this eventuality has been submitted. It is recommended that if permission is granted that a condition is attached requiring implementation of the drainage strategy.
- 4.3.12 The development will involve the loss of the football pitch which was a sports facility used solely by Johnson Matthey employees although in recent years the frequency of use of the pitch has reduced to virtually nothing. It is understood that the pitch was not used by members of the public. As there is no loss to community sports or leisure facilities there are no planning policy grounds to resist the loss of the football pitch.
- 4.3.13 The applicant company are aware of the possibility of a financial contribution towards sustainable transport improvements although at the time of writing this report a legal agreement is yet to be finalised and is pending the response of the Highway Authority. As with previous applications on this site it is considered appropriate to impose a condition to encourage the 'Green Travel' culture to be adopted and progressed by the company so as to minimise the effect of the additional floorspace.

#### 4.4 **Conclusion**

- 4.4.1 I consider that there are no planning grounds to resist this proposal which has been carefully designed to integrate with its surroundings. Adequate parking is provided and there are no highway objections to the development. The development would also facilitate improved drainage, landscaping and sound insulation. In addition, the proposals would further establish the company on the site helping to maintain its key role as a major employer in the area together with the benefits to the local economy for local service industries.

## 5. Legal Implications

- 5.1 In making decisions on applications submitted under the Town and Country Planning legislation, the Council is required to have regard to the provisions of the development plan and to any other material considerations. The decision must be in accordance with the plan unless the material considerations indicate otherwise. Where the decision is to refuse or restrictive conditions are attached, the applicant has a right of appeal against the decision.

## 6. Recommendation

- 6.1 That, subject to the applicant company first entering into a legal agreement to secure a financial contribution towards sustainable transport measures that permission be **GRANTED** subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out wholly in accordance with the details specified in the application and supporting, approved documents and plans, or with minor modifications of those details which have previously been agreed in writing by the Local Planning Authority as being not materially different from those thereby permitted.

Reason: To ensure the development is carried out in accordance with details which form the basis of this grant of permission.

3. Details and/or samples of materials to be used on all external elevations and the roof of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced.

Reason: To ensure that the development will have an acceptable appearance which does not detract from the appearance and character of the surrounding area.

4. The approved details of landscaping shall be carried out before the end of the first planting season following either the first occupation of any of the buildings or the completion of the development, whichever is the sooner; and any trees or 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 during the next planting season with others of similar size and species, unless the Local Planning Authority agrees in writing to vary or dispense with this requirement.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality.

5. Before the occupation of any part of the floorspace hereby permitted, the parking and loading/unloading facilities shown on the approved plan shall be marked out and made available, and shall thereafter be kept available solely for parking in connection with the premises.

Reason: To ensure the provision of satisfactory vehicle parking and loading/unloading facilities clear of the public highway to meet the needs of the development.

6. Within a period of nine months, or such longer period as may be agreed in writing by the Local Planning Authority, of the building, hereby permitted, being brought into use, there shall be submitted to the Authority the results of an employee travel survey undertaken in accordance with the details contained in the Green Travel Plan, which accompanied this application. At the same time, there shall be submitted proposals for reducing the dependency on car journeys to and from the premises by persons employed thereat, which proposals shall include the appointment of a Travel Plan Co-ordinator by the concern occupying the premises and a commitment to undertake an annual employee survey in order to monitor progress in reducing the reliance on the use of private cars by employees as well as such further measures necessary to achieve this objective.

Reason: To reduce journeys to and from the premises by private cars and to encourage employees to use alternative means of transport including walking, cycling and public transport facilities in the interests of sustainable transport and environmental objectives.

7. Before any works of construction commence on the development, hereby permitted, details of the location and type of all exterior lighting shall be submitted to and agreed, in writing, by the Local Planning Authority.

Reason: In order to ensure that the glare and spillage of light does not adversely affect the amenities of residential properties to the south of the application site.

8. a) Construction work on the development site hereby permitted shall not commence prior to the submission to, and agreement of the Local Planning Authority of a written environmental report (Phase 1) which identifies the current and past land uses of this site (and adjacent sites) with a view to determining the presence of contamination which is likely to be harmful to human health, the aquatic environment, buildings structures and local ecosystems.
- b) If the Local Planning Authority is of the opinion that the report which discharges condition (a) above indicates a reasonable likelihood of harmful contamination then a further report (phase II) shall be submitted to the Local Planning Authority which includes:
  - (i) A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors and
  - (ii) The results from the application of a appropriate risk assessment methodology, and
  - (iii) A method statement that specifies the steps necessary to render any contamination harmless and
  - (iv) A contingency plan, which specifies how unanticipated pollutants will be dealt with.

No construction work (other than that necessary for the discharge of this condition shall commence on this site until the Phase II report has been approved, in writing by the Local Planning Authority.

- c) This site shall not be occupied, or brought into use, until:
  - (i) All works which form part of the agreed scheme pursuant to the discharge of condition (b) above have been fully completed;

- (ii) A remediation validation report (Phase III) confirming that the site is suitable for use has been submitted to and agreed by the Local Planning Authority
- d) Any contamination, other than that reported by virtue of condition (a) and (b) encountered during the development of this site shall be brought to the attention of the Local Planning Authority as soon as practically possible; a scheme to render this contamination harmless shall be submitted to and agreed in writing by the LPA and subsequently fully implemented prior to the occupation of this site.
- e) All works agreed with the Local Planning Authority with regard to remediation of this site shall be permanently maintained.

Reason: To ensure that any contamination present within the site is dealt with in a manner that safeguards human health, the built and aquatic environment and local ecosystems

- 9. Prior to the occupation of the development hereby permitted, the applicant shall carry out a noise survey in accordance with a scheme submitted to and agreed in writing by the Local Planning Authority to demonstrate the ability of the development to comply with the noise criteria, as specified by site boundary restrictions within PPC Application (SI 2000 No. 1973) June 2003.

Reason: To safeguard the amenity of residential occupiers.

- 10. An acoustic barrier, (an acoustic bund or fence) with an acoustic performance capable of reducing noise levels to WHO Guideline values (2000), at the nearest noise sensitive property shall be constructed before the commencement of use of the development hereby permitted. The barrier shall be in compliance with a design submitted to and approved by the local planning authority.

Reason: To safeguard the amenity of residential occupiers.

- 11. Adequate space for all parking, delivery and storage of materials must be provided on land which is not public highway and the use of such areas must not interfere with the public highway.

Reason: In the interests of the free and safe flow of traffic on the highway network during construction.

- 12. Before commencement of site works, vehicle wheel washing facilities shall be provided in agreement with the local highway authority.

Reason: In the interests of the free and safe flow of traffic on the highway network during construction.

- 13. The proposed drainage infrastructure scheme referred to in the Flood Risk Assessment report submitted with the application hereby approved shall be implemented and permanently maintained as part of the development.

Reason: To ensure adequate drainage within the flood risk zone and to protect the adjacent residential properties from flooding.

## **Reason for Decision**

The proposed new buildings and ancillary works hereby permitted are acceptable for this site allocated for employment purposes in the District Local Plan and would have no adverse effect on the amenities of the neighbouring residential properties, the visual amenity of the locality or on the highway conditions in the vicinity of the site and as such complies with the relevant provisions of the development plan, as summarised below:

### **Hertfordshire County Structure Plan Review 1991-2011**

Policy 14, Development for Employment Needs

Policy 25, Car Parking Supplementary Planning Guidance adopted December 2000

### **North Hertfordshire District Local Plan No 2 with Alterations**

Policy 36, Employment provision

Policy 50: Flooding

Policy 51: Development Effects and Planning Gain

Policy 55, Car Parking Standards (and Supplementary Planning Document)

**\*PART 1 – PUBLIC DOCUMENT**

**AGENDA ITEM No.**

**9**

**TITLE: PLANNING APPEALS**  
REPORT OF THE HEAD OF PLANNING & BUILDING SERVICES

This item will take the format of an oral report.

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