

**Application 3/13/1501/OP**

**Conditions, Directives and Informatives**

**Submission of Reserved Matters**

1. a) No development in Phase 2 and/or 3 or part thereof, apart from enabling works, earthworks and access works, shall commence before detailed plans showing the layout, scale and external appearance of the building(s) and landscaping (hereinafter referred to as 'the reserved matters') have been submitted to and approved by the Local Planning Authority. The development shall be carried out as approved.
- b) As part of the first reserved matters submitted pursuant to condition 1(a), a Phasing Plan for Phase 2 and 3 shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved Phasing Plan.

Reason: To comply with the requirements of section 92 of the Town and Country planning Act 1990 and the provisions of Article 4 of the Town and Country Planning (Development Management Procedure) Order 2010 (as amended) and to ensure that high standards of urban design and a comprehensively planned development are achieved in accordance with the NPPF.

**Submission of Reserved Matters**

2. An application for the approval of the reserved matters for Phase 2 and/or 3 or part(s) thereof shall be made to the Local Planning Authority before the expiration of 5 years from the date of this permission. The development hereby permitted shall be begun either before the expiration of 7 years from the date of this permission, or before the

expiration of one year from the date of approval of the last reserved matters, whichever is the later.

Reason: To prevent the accumulation of unimplemented planning permissions and to comply with the requirements of Section 92 of the Town and Country Planning Act 1990 (as amended).

### **Submission of Reserved Matters**

3. For each part of Phase 2 and/or 3 the reserved matters submitted pursuant to Conditions 1 and 2 shall be accompanied by the following details:
  - a) The location and design of any recycling and refuse stores;
  - b) The design, layout and materials of the internal roads, footways and cycleways;
  - c) The design and location of cycle parking facilities which will not be provided as part of individual residential or education buildings;
  - d) Any parking, turning, manoeuvring, loading/unloading areas not being provided as part of individual residential or education buildings; and
  - e) A Waste Management Plan.

Each part of Phase 2 and 3 shall be developed in accordance with the details approved.

Reason: In order to ensure a high standard of design; that infrastructure provision and environmental mitigation is provided to cater for the needs and impacts arising out of the development in accordance with policies ENV1 and ENV2 of the East Herts Local Plan Second Review April 2007 and the National Planning Policy Framework, and to ensure that all highway works and internal roads are built to Highway Authority standards and requirements.

## **Approval of Details**

4. Apart from enabling works , earthworks and access works, prior to the commencement of development of Phase 1 or any part of Phase 2 and/or Phase 3 for which the reserved matters have been approved pursuant to Condition1, the following details shall be submitted to and approved in writing by the Local Planning Authority:

- a) The materials to be used in the construction of the external surfaces of the buildings;
- b) The location and design of any recycling and refuse stores (if not already approved);
- c) A programme for the implementation of the hard and soft landscaping details;
- d) A Waste Management Plan.
- e) Details of materials to be used for hard surfaced areas, including roads, drainage details, driveways and car parking areas,

Each part of Phase 1, 2 and 3 shall be developed in accordance with the details approved.

Reason: In order to ensure a high standard of design; that infrastructure provision and environmental mitigation is provided to cater for the needs and impacts arising out of the development in accordance with policies ENV1 and ENV2 of the East Herts Local Plan Second Review April 2007 and the National Planning Policy Framework.

## **Ground Works**

5. No development shall commence in relation to any of Phase 1, 2 or 3 until approval of the details of the ground works for that Phase or part thereof comprising ground levels and any importation details have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out as approved.

Reason: To ensure that the development is properly related to the levels of adjoining development in accordance with policy ENV1 of the East Herts Local Plan Second Review April 2007 and the NPPF.

### **Approved Plans**

6. The development hereby permitted shall be carried out in accordance with the approved plans identified in the Schedule to this planning permission.

Reason: For the avoidance of doubt and to ensure a satisfactory development and to allow for the approval of non-material amendments.

### **Children's Play Area**

7. No more than 10 dwellings shall be occupied until full details of the equipment and surfacing of the children's play area (which shall comprise 1 LEAP) and the timing of its provision have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure the satisfactory provision of play facilities across the site, in accordance with policy LRC3 of the East Herts Local Plan Second Review April 2007 and national planning policy contained in the NPPF.

### **Green Infrastructure and Biodiversity Management**

8. No building shall be occupied until a detailed Green Infrastructure and Biodiversity Management Plan has been submitted to and approved in writing by the Local Planning Authority, including long term design objectives, management tasks and maintenance schedules for all areas of public open space and landscaping, including the Riverside Park Parcels). The Management Plan shall be based upon the Ecological Appraisal and Protected Species Report and a new survey and include details of the retention and enhancement of the biodiversity of the site. In relation to

the Riverside Park the Plan shall include details of the treatment of the site boundary with the River Stort and the proposed management and maintenance responsibilities. Thereafter the development shall be carried out, managed, and maintained in accordance with the approved Plan.

Reason: To secure the sustainable management of Green Infrastructure within the development and the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in accordance with policies ENV1, ENV2 and ENV17 of the East Herts Local Plan Second Review April 2007 and the NPPF.

### **Tree Protection**

9. Apart from enabling works, no development within Phase 1, 2 or 3 or part thereof shall commence until details of the specification and position of fencing and of any other measures to be taken for the protection of any retained tree or hedging from damage before or during the course of development have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure the continuity of amenity afforded by existing trees and hedges, in accordance with policies ENV2 and ENV11 of the East Herts Local Plan Second Review April 2007.

### **Landscaping**

10 For each part of Phase 2 and/or 3 the reserved matters submitted pursuant to Conditions 1 and 2 shall be accompanied by full details of both hard and soft landscape proposals. These details shall include, as appropriate:

- (i) Proposed finished levels or contours;
- (ii) Positions, design, materials and type of boundary treatment to be erected;

- (iii) Hard surfacing materials; and
- (iv) Minor artefacts and structures (e.g. street furniture, refuse or other storage units and signs); and

Soft landscape details shall include:

- a) Planting plans including positions for all tree, hedge and shrub planting;
- b) Written specifications (including cultivation and other operations associated with plant and grass establishment);
- c) Schedules of plants, noting species, planting sizes and proposed numbers; and
- d) Densities where appropriate; and
- e) Implementation timetables including time of planting.

Thereafter the approved landscaping proposals shall be implemented and maintained as such in accordance with the approved details.

Reason: In the interests of the amenity of future residents and to ensure that a detailed approach to the landscaping of the built-up area (or parcels thereof) is agreed in order to safeguard the setting and character of the site in accordance with policies ENV1, ENV2 and ENV11 of the East Herts Local Plan Second Review April 2007.

### **Landscaping**

- 11 No development in Phase 1, apart from enabling works, earthworks and access works, shall commence until a programme for the implementation of the landscaping scheme (including boundary treatments) shown on Drawing nos. XXX has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved programme.

Reason: To ensure that the approved landscaping is implemented in the interests of amenity.

### **Planting**

- 12 If, within a period of five years from the date of the planting of any tree identified on the approved plans for Phase 1 or the landscaping scheme submitted in relation to Phases 2 and 3 and/or or part thereof pursuant to Conditions 1, 2 and 10, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the welfare and longevity of trees that are essential to the realisation of the garden city design concept and in accordance with policy ENV2 of the East Herts Local Plan Second Review April 2007.

### **Archaeology**

- 13 No development shall take place within the site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved scheme.

Reason: To secure the protection of and proper provision for any archaeological remains in accordance with policies BH2 and BH3 of the East Herts Local Plan Second Review April 2007 and the NPPF.

### **Traffic Noise**

- 14 Prior to the commencement of development a Construction Environmental Management Plan as detailed in the Environmental Statement Volume 3, Technical Appendix H to Chapter 7 Traffic and Transport Assessment (Terence

O'Rourke, May 2013) must be submitted to and approved in writing by the Local Planning Authority. In particular the Plan shall address the measures detailed in paragraphs 7.3 to 7.21. Thereafter the measures shall be implemented as approved.

Reason: To protect the amenities of adjoining development. To comply with Policy ENV24 of the East Herts Local Plan Second Review 2007.

### **Noise Mitigation**

- 15 Prior to the commencement of development a scheme for the mitigation of construction noise based on the mitigation measures during identified as necessary during the construction and operational phases as detailed in the Environmental Statement Volume 3, Technical Appendix H Noise Assessment, Chapter 6 (Residual Effects) and Chapter 7 (Conclusions) (Terence O'Rourke, May 2013) shall be submitted to and approved in writing by the Local Planning Authority. In particular the scheme should address the measures noted in following paragraphs: 6.2 (hoarding); 6.4 (engineering options for dwellings in NEG B or C); and 7.4 (uprated glazing and ventilation in some instances). Thereafter the measures shall be implemented as approved.

Reason: In the interests of future residents. To comply with Policy ENV25 of the East Herts Local Plan Second Review 2007.

### **Noise Mitigation**

- 16 Prior to the commencement of development a scheme for the mitigation of construction noise based on the mitigation measures identified as necessary during the construction and operational phases as detailed in the Environmental Statement Volume 3, Technical Appendix H Noise Assessment, Chapter 5 (Terence O' Rourke, May 2013) shall be submitted to and approved in writing by the Local Planning Authority. In particular the scheme should address



the measures noted in the following paragraphs: 5.1 (early Communication); 5.2 (BPM); 5.3 (BPM); 5.4 (hoardings); 5.8 (alternative means of ventilation); 5.9 (default choice for glazing and ventilation); 5.16 (thermal double glazing apart from units with direct view of A 120). Thereafter the measures shall be implemented as approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of future residents. To comply with Policy ENV25 of the East Harts Local Plan Second Review 2007.

### **Noise Mitigation**

17 No dwelling hereby approved within Phase 2 and/or 3 or part thereof shall be occupied until a detailed acoustic report on the existing noise climate on the site and its impact on the proposed dwellings has been submitted to and been approved in writing by the Local Planning Authority. The report shall address noise from the A120 and Stansted Airport operations and include a scheme of noise mitigation to ensure that all dwellings can achieve 'good' internal noise levels for night-time and the 'reasonable' standard for the daytime as defined in BS 8233 (or any successor standard). This will involve building façade treatments, including roof design, and the approach to ventilation. Thereafter the development shall be carried out in accordance with the approved measures.

Reason: In the interests of future residents. To comply with Policy ENV25 of the East Harts Local Plan Second Review 2007.

### **Noise Mitigation**

18 The primary school hereby approved shall not be occupied until a detailed acoustic report on the existing noise climate on the site and its impact on the proposed school has been submitted to and been approved in writing by the Local Planning Authority. The report shall address noise from the A120 and Stansted Airport operations and include a scheme

of noise mitigation to ensure that all classrooms, teaching and assembly areas comply with guidance in DfE Building Bulletin 93 (or any successor document). This will involve building façade treatments, including roof design, and the approach to ventilation. Thereafter the development shall be carried out in accordance with the approved measures.

Reason: In the interests of future occupiers of the school and the creation of an acceptable educational environment. To comply with Policy ENV25 of the East Harts Local Plan Second Review 2007.

### **Construction Method Statement**

19 Prior to commencement of development of Phase 1, 2 and/or 3 or part thereof a Construction Method Statement shall be submitted to, and approved in writing by, the Local Planning Authority in relation to that phase or part thereof. The approved Statement shall be adhered to throughout the construction period for that phase or part thereof. The Statement shall provide for:

- a) The parking of vehicles of site operatives and visitors;
- b) The routing of delivery vehicles and site access;
- c) Loading and unloading of plant and materials;
- d) Storage of plant and materials used in constructing the development;
- e) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- f) Protocol for the handling of soil;
- g) Wheel washing facilities;
- h) Measures to control the emission of dust and dirt during construction;
- i) Measure to prevent the pollution of any watercourse;

- j) A scheme for recycling/disposing of waste resulting from demolition and construction works; and
- k) Hours of construction.

Reason: To minimise the impact of construction process on the local environment and local highway network.

### **Construction Training**

20 No development shall take place until a Construction Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include details of the following:

- a) The anticipated number of construction job opportunities;
- b) A scheme for the recruitment of local people during the construction period;
- c) A scheme for the promotion of apprenticeships and work experience for local people during the construction period;
- d) Employment and training initiatives for employees at local colleges during the construction period;
- e) Appointment of a co-ordinator to implement the plan; and
- f) Monitoring of the plan.

Thereafter the development shall be carried out in accordance with the approved Plan.

Reason: To secure the opportunities available to help people into work and contribute to the economic and social sustainability of the development.

### **Attenuation Pond**

21 Prior to the occupation of any dwelling, the attenuation pond will be constructed in accordance with the submitted scheme details Riverside Park pond layout and sections reference 41549/C/SK600.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity in accordance with policies ENV20 and ENV21 of the East Herts Local Plan Second Review April 2007 and the NPPF.

### **Flood Risk / Surface Water Drainage**

22 Prior to the commencement of Phase 1, 2 and/or 3 or part thereof a detailed surface water drainage scheme for the phase, based on the submitted Flood Risk Assessment (FRA) (July 2013) shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall:

- a) Provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters; and
- b) Include a timetable for its implementation; and provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

Thereafter, the scheme shall be implemented in accordance as approved before the phase or part thereof (as may be relevant) is occupied. The scheme shall include a restriction in run-off and surface water storage on site as outlined in the FRA. Infiltration systems should only be used where it can be demonstrated that they will not pose a risk to groundwater quality.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity in accordance with policies ENV20 and ENV21 of the East Herts Local Plan Second Review April 2007 and the NPPF.

### **Foul Sewage**

23 The development hereby permitted shall not be commenced until such time as a scheme to dispose of foul sewage has

been submitted to, and approved in writing by, the Local Planning Authority. Thereafter the scheme shall be implemented as approved.

Reason: To ensure that appropriate provision is in place

### **Lighting**

- 24 Details of any external lighting proposed in connection with the development shall be submitted to and approved by the Local Planning Authority prior to its installation.

Reason: In the interest of the visual amenities of the area, and in accordance with policy ENV23 of the East Herts Local Plan Second Review 2007.

### **Dust Measures**

- 25 The construction of the development should be controlled as detailed in section 6.1 to 6.4 in the submitted Air Quality Assessment, Entran (May 2013).

Reason: to ensure that the amenity of local residents is protected from poor air quality and any dust created during construction of the development.

### **Soil Decontamination**

- 26 The presence of any significant unsuspected contamination that becomes evident during the development of the site shall be brought to the attention of the Local Planning Authority.

Reason: To ensure that adequate protection of human health, the environment and water courses is maintained. To comply with Policies SD5 and ENV20 of the East Herts Local Plan Second Review 2007.

### **Piling Works**

- 27 If piling is considered the most appropriate method of foundation construction, prior to commencement of

development, a method statement detailing the type of piling, noise and vibration emissions, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented as approved.

Reason: In the interests of the amenities of residents of neighbouring properties and in accordance with Policy ENV24 of the East Herls Local Plan Second Review 2007.

### **Construction Hours**

- 28 In connection with all site preparation and construction works no plant or machinery shall be operated on the premises outside the following hours: 0730hrs to 1830hrs on Monday to Friday, 0730hrs to and 1300hrs on Saturdays, and at no time on Sundays or bank holidays unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenities of nearby residents, in accordance with Policy ENV24 of the East Herts Local Plan Second Review 2007.

### **Improvements to Rye Street**

- 29 No development shall commence until a scheme for the enhancement of Rye Street and identified as the Rye Street Enhancement Scheme has been submitted to and agreed by the Local Planning Authority. Once agreed, the Scheme shall be implemented in full prior to the occupation of the 90<sup>th</sup> dwelling to be provided at the site.

Reason: To ensure that the impact of development traffic on the local road network is minimised

### **Review of Transport Impacts**

30. Prior to commencement of any development there shall be submitted to and agreed in writing by the Local Planning Authority a mechanism of continual review of the transport

impacts of the development to include (but not be restricted to) the installation of traffic counters upon each access, travel plan monitoring and regular dialogue between Developer, Local Planning Authority and Highway Authority. The review of transport impacts shall set out timescales within which proposed mitigating actions are to be identified if unpredicted transport impacts arise. Once agreed, the review of transport impacts shall be undertaken as such. If unpredicted transport impacts do arise, the further schedule of actions to be taken to mitigate against these, including the timescale for their implementation, shall be submitted to and agreed writing by the Local Planning Authority. These further actions shall be implemented as agreed.

Reason: To ensure that the transport impact of the development is appropriately mitigated against to ensure impacts are no worse at any time during the construction phase and on completion of the development.

### **Travel Plan**

31. The development shall not commence until details of a Travel Plan for the development as a whole have been submitted to and agreed in writing by the Local Planning Authority. The plan shall make provision for relevant surveys, review and monitoring mechanisms, targets, further mitigation, timescales, phasing programme and on-site management responsibilities. Once agreed, it shall be implemented and subject to regular review in accordance with the above approved details.

Reason: To ensure that the development traffic is within the predicted levels in the submitted Transport Assessment, to promote sustainable transport measures and maintain the free and safe flow of traffic.

### **Hazelend Road Junction**

32. The Priority Junction on Hazelend Road, is to be completed prior to the occupation of the first dwelling on the site. The works should be undertaken in accordance with drawing number MBSK150223C, including the speed management measures to implement a 40 mph limit this section of Hazelend Road. Visibility splays of 2.4m x 90m should be maintained in both directions.

Reason: To ensure that the junction is constructed to the Highway Authority's specification as required by the Local Planning Authority.

### **Roundabout Junction**

33: The Roundabout access Junction, is to be completed prior to the occupation of the 90<sup>th</sup> dwelling to be provided at the site. The works should be undertaken in accordance with drawing number Mbsk150223A.

Reason: To ensure that the junction is constructed to the Highway Authority's specification as required by the Local Planning Authority.

### **Farnham Road Junction**

34. a) The Farnham Road access junction, and associated speed management measures, are to be completed prior to the occupation of the 90<sup>th</sup> dwelling to be provided at the site. The works should be undertaken in accordance with drawing number MBSK150223B. Visibility splays of 2.4m x 90m shall be provided and subsequently maintained in both directions from the junction.

b) Prior to the commencement of construction of the access, details shall be submitted to and approved by the Local Planning Authority to show the physical means whereby the use of the access shall be limited to 50 dwellings, and they shall be installed prior to the occupation of the 90<sup>th</sup> dwelling.



Reason: To ensure that the junction is constructed to the current Highway Authority's specification as required by the Local Planning Authority.

## Definitions

- i) “Enabling Works” means (i) surveying, (ii) environmental and hazardous substance testing and sampling (including the making of trial boreholes, window sampling and test pits in connection with such testing and sampling), (iii) soil tests, (iv) pegging out, (v) tree protection, (vi) ecological survey and mitigation works, (vii) archaeological investigation and (viii) demolition and removal of buildings and other structures on the Site or similar related works.
- ii) “Earthworks” means the strategic land re-profiling, remediation works and principal foul and surface water drainage infrastructure works attenuation ponds, and strategic swale and ditch corridors associated with the Strategic Engineering Elements and Development Parcels.
- iii) “Strategic Engineering Element(s)” means the strategic public utility works, foul water pumping station, surface water pumping and rising main, noise attenuation barrier, primary roads and strategic swale and ditch corridors not covered by “Earthworks”.
- iv) “Phase 2 and 3” means the site other than Phase 1 as defined on the application drawings.
- v) “LEAP” means a Local Equipped Area for Play.
- vi) Phasing Plan means a plan setting out the proposed sequence of development, the extent and location of individual development phases, including the details of the extent and type of development included in that phase, the timing of delivery of major access infrastructure (roads, footpaths and cycleways) off site highway infrastructure and on and off site public transport infrastructure.

- vii) Rye Street Enhancement Scheme means a scheme of highway improvements for the Rye Street corridor based on adopting a 'route strategy' approach and aimed at delivering better speed management and improving the roads status as a bus friendly corridor, with high quality cycle and walking links to Bishop's Stortford town centre.

**Directive/s**

1. The architects and developers are strongly advised to consult with the Crime Prevention Design Advisor at Herts Constabulary to mitigate against any rise in crime.
2. 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 which may affect the land.
3. Where works are required within the public highway to facilitate vehicle access, the Highway Authority require the construction of such works to be undertaken to their specification and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Eastern Herts Highways Area Office, Hertford House, Meadway Corporate Centre, Rutherford Close, Stevenage SG1 3HL (Telephone 0300 123 4047) for further information and to determine the necessary procedures.
4. Prior to commencement of relevant highway works the applicant shall promote and obtain all necessary permanent and temporary Traffic Regulation Orders. This is to ensure adequate safety measures are provided during construction and use of the development.
5. Before commencement of the development the applicant shall submit to the relevant road and foul drainage authorities, details of the design, construction and adoption

of the proposed drainage systems. This is to ensure that the development's drainage is built to the appropriate standards and legislation.

6. This planning permission is also subject to a Planning Obligation under S106 of the Town and Country Planning Act 1990 (as amended).
7. The development will involve the numbering of properties and naming of new streets. The applicant **MUST** consult the Director of Finance and Support Services. Application for this purpose should be made to the Local Land and Property Gazetteer Custodian, East Herts Council, Wallfields, Hertford, SG13 8EQ. Tel: 01279 655261.