

DEVELOPMENT MANAGEMENT COMMITTEE – 5 APRIL 2017

Application Number	3/16/2311/OUT
Proposal	Outline planning for the erection of 15 dwellings with all matters reserved except access
Location	Land at Stortford Road/Town Farm Crescent, Standon, SG11 1NA
Applicant	Mr Dan Livings
Parish	Thundridge and Standon
Ward	Thundridge and Standon

Date of Registration of Application	17 October 2016
Target Determination Date	16 January 2017
Reason for Committee Report	Major Application
Case Officer	Martin Plummer

RECOMMENDATION

That planning permission be **GRANTED** subject to a Section 106 agreement and planning conditions as set out at end of this report.

1.0 Summary

- 1.1 The proposal represents an inappropriate form of development in the Rural Area beyond the Green Belt. The Council is not currently able to demonstrate a five year supply of housing and, in such situations, national planning policy requires that planning permission be granted for sustainable development unless there are any significant adverse impacts that would outweigh the benefits of the proposal or where specific policies of the NPPF indicate that development should be restricted.
- 1.2 This report describes that policy assessment and considers the positive weight that can be attached to the provision of housing, including affordable housing, against the negative weight that can be attached to any adverse impacts that would result from the development.
- 1.3 The site is considered to be well located for day-to day services and facilities located in Standon and Puckeridge which can be accessed by walking and cycling. The site is also well placed to access existing bus routes to the larger settlements in the District and further afield, including access to the national train network. The application site

performs less well in terms of access to employment and more significant weekly shopping trips, and access to secondary education.

- 1.4 The development is considered to be neutral in terms of the impact on landscape character, highway safety, parking, ecology and impact with neighbouring properties. Appropriate financial contributions can be secured which will adequately mitigate the impact on existing infrastructure.
- 1.5 The development is considered to represent sustainable development and there are no significant or adverse impacts which would outweigh the benefits of the development. Planning permission can therefore be supported.

2.0 Site Description

- 2.1 The application site is located to the east of the village of Standon. To the west of the site is the residential development of Town Farm Crescent, to the north and east are open agricultural fields and to the south is the boundary with the A120 (Stortford Road). The southern boundary with the road features a number of mature landscape features and a field access into the site. There is also a layby which has been expanded along the highway where vehicles owned by householders who live opposite the site park on an informal basis.

3.0 Background to Proposal

- 3.1 The application site currently forms part of an agricultural field and is used for arable farming.
- 3.2 The application proposes the provision of 15 dwellings - the application is in outline with all matters reserved except for access. An indicative plan is submitted with the application which shows one way in which the site could come forward in terms of layout of the development. The application proposes the provision of 9 open market dwellings and 6 affordable dwellings.
- 3.3 Members may recall that Puckeridge and Standon has been the subject of previous planning applications for residential development outside of the current boundary of the villages. Planning permission has been granted for the erection of 24 dwellings on land to the west of the application site under LPA references 3/14/1627/OUT (allowed at appeal) and 3/16/1918/REM.

- 3.4 Members resolved to approve the planning application under LPA reference 3/16/1218/FUL on a further parcel of land to the west of Cambridge Road on land occupied by the dwellings known as The Chestnuts and Glanton. A legal agreement is currently being prepared in relation to that application.
- 3.5 A planning application under LPA reference 3/15/2081/OUT has most recently been refused by the Development Management Committee for the erection of up to 160 dwellings on land to the north of Standon Hill. Members concerns and the reasons for refusal of that application related to the impact on highway safety and capacity; the landscape impact and the unsustainable location of the site for development.

4.0 Key Policy Issues

- 4.1 These relate to the relevant policies in the National Planning Policy Framework (NPPF), the adopted East Herts Local Plan 2007 and the pre-submission District Plan:

Key Issue	NPPF	Local Plan policy	Pre-submission District Plan	Draft Standon Neighbourhood Plan
The principle of residential development within the Rural Area	Paragraph 14	SD2, GBC3	DPS2, GBR2	SP7, SP9, SP11
Whether the development represents a sustainable form of development	Paragraph 7		INT1	SP1, SP9, SP10, SP11
Impact on character and appearance of the area and neighbour amenity	Paragraph 14	ENV1	DES3	
Landscape impact		ENV2, ENV11	DES1, DES2, DES3.	SP3, SP5, SP13, SP21.
Flood risk impact and SuDS	Section 10	ENV18, ENV19, ENV21	WAT3, WAT5	SP15, SP24

Affordable housing and contributions to mitigate the impact of the development on existing infrastructure / services	Section 6	IMP1	HOU3	SP18, SP20, SP21, SP22
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Other relevant issues are referred to in the 'Consideration of Relevant Issues' section below.

5.0 Emerging District Plan

- 5.1 The Council resolved to proceed to the publication of its pre-submission version of the District Plan at the meeting of Council of 22 Sept 2016. Consultation on the Plan has recently been completed. The view of the Council is that the Plan has been positively prepared, seeking to ensure significantly increased housing development during the plan period. The weight that can be assigned to the policies in the emerging plan can now be increased, given it has reached a further stage in preparation. There does remain a need to qualify that weight somewhat, given that the detail of the responses to the consultation is yet to be considered.
- 5.2 As indicated in the table above, progress has been made with regard to the preparation of the Standon Neighbourhood Plan. The consultation period on the draft plan has now closed.

6.0 Summary of Consultee Responses

- 6.1 HCC Highway Authority originally objected to the planning application on the basis of concerns relating to highway safety and access onto the A120; the inadequacy of pedestrian footways and, the loss of the layby used for parking of nearby residential dwellings.

The Highway Authority comments that the amended plan is now acceptable and includes the partial retention of the existing lay-by with the provision of eight parking spaces for general public use within the site. The amended plan also incorporates the provision of an appropriate footway which will enable pedestrian access to the site from the village.

A 2.4m x 90m visibility spacy should be provided and maintained permanently in each direction and the gradient of the access should be no more than 1 in 20 for the first 10 metres into the site – planning conditions are recommended in relation to these matters.

The provision of 15 new residential dwellings is considered to be acceptable – the site is located in Standon and is within walking distance of existing facilities, amenities and some public transport.

- 6.2 Lead Local Flood Authority comments that the proposed development site can be adequately drained and mitigate any potential existing surface water flood risk if carried out in accordance with the overall drainage strategy. Planning conditions relating to the drainage strategy are recommended.
- 6.3 Environment Agency has responded to confirm that it has no comments to make on the application.
- 6.4 EHDC Engineering Advisor comments that the site is located in flood zone 1 (an area of low fluvial flood risk) and away from designated surface water inundation zones apart from a narrow band to the south of the site along the A120.
- 6.5 The development will increase the amount of impermeable areas and reduce the amount of permeable areas. The application contains information regarding the provision of SuDS (Sustainable Drainage Systems) including a SuDS pond, rainwater harvesting and permeable hard surfaces. The SuDS pond will help reduce flood risk, increase biodiversity/amenity and help to improve the water quality.
- 6.6 Thames Water comments that it is the applicant's responsibility to make proper provision for surface water drainage. Surface water should be attenuated or regulated into the receiving public network through on or off site storage. No objections are raised in respect of sewerage infrastructure capacity and a directive is recommended in relation to groundwater protection.
- 6.7 EHDC Landscape Advisor recommends that planning permission be approved. In terms of landscape sensitivity and capacity, no objection is raised and there is considered to be no unacceptable adverse landscape impact. The Landscape Officer comments that there is no unacceptable impact on trees/hedges provided the sightlines for the development are accommodated by the existing layby. Concerns are raised with the indicative layout drawing – however, as the application is outline only no objection is raised on this basis.

- 6.8 HCC Development Services seek a financial contribution towards the Library Service to make improvements to the Children's Area at Bishop's Stortford Library (£2,742) and towards new furniture within the Information and Guidance suite at Bishop's Stortford Youth Centre (£782). It also recommends the provision of fire hydrants.
- 6.9 HCC Minerals and Waste refers the Council to the waste, recycling and sustainable construction and demolition policies in the County Council Waste Plan. The advisor also refers to the HCC Minerals Local Plan which seeks to avoid the sterilization of minerals and their opportunistic extraction prior to non-mineral development. It is noted that this site is located within the Hertfordshire sand and gravel belt.
- 6.10 EHDC Environmental Health Advisor advises that any planning permission granted includes a planning condition relating to construction hours of working.
- 6.11 EHDC Environmental Services comments that provision for 3 x 240 litre bins will need to be provided for each dwelling. Comments are made in respect of the practicalities of bin storage for some of the dwellings as shown in the indicative drawing.
- 6.12 Hertfordshire County Council Fire and Rescue Services comments that access for fire fighting vehicles and water supplies should be provided and appropriate provision of fire hydrants.

7.0 Standon Parish Council Representations

- 7.1 The Parish Council strongly objects to the planning application on the following grounds:
- Development represents inappropriate development in the Rural Area;
 - The site is not allocated in the Neighbourhood Plan for development which has been prepared in accordance with emerging policies in the District Plan;
 - The density of development is too low and in conflict with draft policies in the Neighbourhood Plan;
 - The development will result in the loss of agricultural land of high quality contrary to paragraph 112 of the NPPF;
 - The development will leave no clear boundary to the village;
 - Harmful impact on setting of Conservation Area – boundary of which is opposite the site;

- Harmful impact on highway safety associated with access onto main road;
- Drainage systems will impact on the stability of adjoining residential gardens.

8.0 Summary of Other Representations

8.1 18 representations have been received, including those from the CPRE (Campaign to Protect Rural England) - the concerns raised are summarised as follows:

- Inappropriate development in the Rural Area;
- Harmful impact on highway safety and access;
- Harmful increase of traffic;
- Conflict with agricultural vehicles accessing into the residential street;
- Inadequate provision for parking and replacement off-street parking for the layby;
- Unsustainable location for development;
- Harmful impact on landscape character;
- Inadequate services and facilities to accommodate the development;
- Existing school is at capacity;
- Inadequate health care provision;
- Harmful impact on living conditions of neighbouring properties;
- Flood risk associated with surface water flooding and drainage pond;
- Conflict with District Plan and pre-submission District Plan;

9.0 Planning History

9.1 There is no relevant planning history relating to this site.

10.0 Consideration of Relevant Issues

Principle of development

10.1 The site lies outside the defined village boundary of Standon and therefore within the Rural Area Beyond the Green Belt in both the current and emerging Local Plans. In the current Local Plan, policy GBC3 only allows for specific forms of development, not including new residential developments, in such locations. This policy approach is replicated in policy GBR2 of the emerging District Plan. The proposal therefore represents inappropriate development in the Rural Area

beyond the Green Belt. When considering the principle of development it is necessary to consider, of course, any other material considerations, including policies contained in the NPPF.

- 10.2 Paragraph 14 of the NPPF sets out a presumption in favour of sustainable development and also states that 'where the development plan is absent, silent or relevant policies are out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or because specific policies in the Framework indicate development should be restricted.'
- 10.3 The Council has acknowledged its lack of a 5 year housing supply and the need for housing in the District. It is also acknowledged that, in respect of the wording of the NPPF, the Council's settlement boundaries and housing allocations based on the 2007 Local Plan are considered to be out of date. The pre-submission District Plan has been published and sets out an up to date policy position in relation to the supply of land for housing. It is considered therefore that weight can now be assigned to this emerging policy position, but there remains a need to qualify that weight somewhat, given that consultation response to the draft Plan is being considered and an examination is yet to take place. In these circumstances, the Council currently remains unable to demonstrate a five year housing land supply.
- 10.4 In the adopted Local Plan, Standon is identified as a category 2 village, where development is permitted within the boundary of the village. In the pre-submission District Plan policy VILL1 sets out that Group 1 villages (which includes Standon) should make provision for a 10% increase in housing stock based on the 2011 census. The emerging policy encourages Parish Councils to prepare Neighbourhood Plans to allocate land for such development. Prior to the preparation of a Neighbourhood Plan, the policy sets out that development should be constrained to within the identified development boundary.
- 10.5 Work has commenced on a Neighbourhood Plan (NP) for Standon Parish - the draft NP does not identify the application site as a potential allocation for development. The NP has been subject to consultation, the consultation period concluding on 13 December 2016. The Parish Council has provided a summary of the feedback received during the recent consultation on the NP. This confirms that objections have been submitted with regard to some of the allocations in the NP.

- 10.6 In considering the weight that can be assigned to the various elements of the policy background, the Councils District Plan has reached a more advanced stage than the NP and is capable of attracting some weight. Relevant policies remain subject to objection however. The NP is at an earlier stage of production; it is seeking to positively address the housing supply issue but is also subject to objection. Taking the stage of preparation into account and the current position in relation to housing land supply, your Officers view is that the District Plan and NP policies are not sufficiently up to date that the requirements of the NPPF in relation to the presumption in favour of sustainable development are not triggered in relation to housing land supply. It remains necessary therefore to consider the proposals against the test set out in the NPPF and to determine whether the adverse impacts of the development will significantly and demonstrably outweigh the benefits of the proposal and therefore whether it is sustainable or not.

Sustainable development

Economic dimension

- 10.7 With regard to the economic dimension of sustainable development, the provision of a residential development on the site will mainly involve short term employment opportunities and other associated benefits with the building process. There may also be other economic benefits in respect of future occupiers of the development making use of local amenities and services. This is therefore a matter which weighs in favour of the application.
- 10.8 Paragraph 112 of the NPPF requires a consideration of the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality. The Parish Council comments that the land is classified as grade 3 (good to moderate quality) and it has and continues to be used for agricultural purposes.
- 10.9 The applicant comments that the erection of 15 dwellings cannot reasonably be considered as significant development for the purposes of paragraph 112 of the NPPF. The applicant further comments that the land is not high quality for crop growing being mainly sandy and gravelly and does not produce a high yield of crop.
- 10.10 Whilst Officers acknowledge that the site is currently used for agriculture, given the quantum of development and quality of the land

as set out by the applicant, Officers do not consider that there is a conflict with the above mentioned requirement of the NPPF.

Social dimension

- 10.11 Turning to the social dimension of sustainable development, this matter generally relates to the positive way in which the development will provide and address housing need. Whilst in outline form only, the provision of 15 dwellings including 6 affordable dwellings (which represents 40% affordable housing provision) is a matter which must attract significant weight.
- 10.12 The site is within walking and cycle distance of the village of Standon which is to the west of the application site and the plans include the provision of a pedestrian footway which can be used for pedestrian access to the village. There are some local amenities and facilities within the village for day-to-day essentials including a village shop, two public houses and the Parish Church. In Puckeridge, to the north of the site (and still within reasonable walking and cycle distance) is a primary and middle school, a local health care centre and other shops and amenities. Weekly shopping trips and access to secondary education would require travel further afield, to the larger settlements of Bishop's Stortford, Ware or Hertford for example – a position not dissimilar to the existing residents of Puckeridge and Standon.
- 10.13 There are some modest employment opportunities within the village but the majority of employment will likely be in the surrounding settlements which will require travel.
- 10.14 There are bus stops with access to nearby settlements which operate on a reasonably regular basis during the week and weekend. That service does provide some access for shopping trips, education and employment. However, it must be acknowledged that the service is not likely to be regular enough for many trips and access to other settlements, including access to rail lines for weekly shopping trips, secondary education and employment will likely rely on private vehicles. This is a matter which does not weigh in favour of the application.

Housing mix

- 10.15 The current Development Plan (East Herts Local Plan Second Review April 2007) contains no specific policy criteria relating to mixture of housing sizes/types. The pre-submission District Plan, however, sets out a new policy approach, and emerging policy HOU1 identifies that an

appropriate mix of housing tenures, types and sizes will be expected, taking account of the most up to date evidence and emerging policy.

- 10.16 This is a new policy position within the emerging District Plan and therefore the weight that can be attached to it must be qualified (as set out in section 5.0 above). However, given that the policy is based on very recent and up to date evidence contained in the Strategic Housing Market Assessment (SHMA) and in the absence of any contrary evidence, Officers consider that it can be afforded some reasonable weight.
- 10.17 The Strategic Housing Market Assessment identifies a clear need for affordable housing in the district, with the majority of the need being for two and three bed dwellings. The SHMA indicates that 40% of affordable homes should be provided as 2 bed units, houses and flats, and 34% as 3 bed units. In these proposals, 2 x 2 bed units and 4 x 3 bed units are proposed which generally accords with that assessment.
- 10.18 For open market housing, the emerging policy requirements seek a provision of 46% of homes to be 3 bed, 23% to be 4 bed and 6% to be 5+ bed dwellings. The proposals in this case comprise 3 x 3-bed units (33% of the total development) and 6 x 4-bed (66%). There is a higher than average provision of larger 4 bedroom dwellings and a higher than average provision of smaller 3 bed dwellings. The overall mix of development does not, in this respect, reflect the requirements of the SHMA and this is a matter which weighs against the proposal. However, it must be noted that the application is in outline form only and may be the subject of change in terms of the mix of housing.

Environmental dimension

Character, appearance and landscape impact

- 10.19 The core principles of the NPPF set out that planning should take account of the different roles and character of different areas, by recognising the intrinsic character and beauty of the countryside (para 17). Section 7 of the NPPF requires good design and sets out that developments should respond to local character, history and reflect the identity of local surroundings.
- 10.20 Local Plan policy GBC14 sets out that a Landscape Character Assessment will be used to assess development proposals and will seek to improve and conserve local landscape character by conserving, enhancing or creating desirable landscape features; contribute to the strategy for managing change with reference to the Landscape

Character Assessment, and enhance or conserve key characteristics and distinctive features.

- 10.21 Policies ENV1, 2 and 3 of the Local Plan set out a need for development to demonstrate compatibility with the structure and layout of the surrounding area, consider the impact of any loss of open land on the character and appearance of the locality, retain and enhance existing landscaping. Policy SD1 requires development to be physically well integrated and respond to local character.
- 10.22 In the emerging District Plan policy VILL1 sets out the criteria for development in Group 1 villages. Emerging policies DES1 and DES2 deal with landscaping with the additional requirement (over the current Local Plan) for a Landscape and Visual Impact Assessment and/or Landscape Sensitivity and Capacity policy. Policies DES3 and DES4 set out a range of detailed design and layout requirements, including the need to consider crime prevention.
- 10.23 The representation from the Parish Council and third parties indicate a concern with the impact of the development on the rural countryside setting and boundary of the village.
- 10.24 The application site forms part of a large agricultural field which is currently used for arable farming. The field is bounded to the south by mature landscaping including trees and hedges which obscure most views into the site from the main road.
- 10.25 The proposal incorporates a relatively low density with generous pockets of amenity space and spacing to the boundary with the road. There will undoubtedly be an impact on the rural character of the site and the change from agricultural field to residential development. However, having regard to the comments from the Landscape Advisor, there will be no unacceptable adverse landscape impact.
- 10.26 The Parish Council raises concern with the density of the proposed development and conflict with the Neighbourhood Plan, which requires a higher density of development. Officers consider however that a lower density as current proposed is appropriate on this edge of settlement location which will enable appropriate landscaping to be implemented to soften the boundaries of the site and its relationship with retained agricultural fields.
- 10.27 The Parish Council also raises concern with the impact on the Standon Conservation Area, the boundary of which forms the Stortford Road. The site is not located within the designated Conservation Area but

Officers have nevertheless considered whether the proposals would adversely impact on the surroundings such that the character and appearance of the Conservation Area would be adversely affected. However, given the relatively low density of the scheme proposed; and the mature landscaping on the boundaries of the site, Officers are satisfied that a detailed scheme can be designed such that there would be no adverse impact on the surrounding Conservation Area.

Highway safety and parking

- 10.28 Third party representations raise concern with regard to the access for the development onto the A120 and the increased risk of accidents associated with a residential development.
- 10.29 The comments from third parties are noted, but no similar concerns are raised by the Highway Authority. It is considered that traffic generation associated with 15 dwellings will not be significant and an appropriate provision for visibility can be provided at the site entrance with the A120. It is considered then that the proposed development is acceptable in terms of highway safety and the capacity of the road network. There would not therefore be a 'severe' highways impact such that would warrant the refusal of planning permission.
- 10.30 The existing layby to the front of the site adjoining the A120 is used for parking by those residents of Stortford Road who do not have off-street parking or driveways. Representations from third parties indicate that it is not uncommon for up to seven cars to be parking in the lay by. The application seeks to respond to this issue by providing a dedicated replacement parking area for 8 vehicles within the application site. A planning condition is recommended which will ensure provision and retention of this parking area for residents of Stortford Road. The provision of additional and dedicated parking away from the layby and A120 is a benefit to the development and would weigh in favour of the application.
- 10.31 The plans submitted show the provision of a new pedestrian footway to the south and outside of the application site. The provision and widened pavement is within the public highway and, as noted above, will provide pedestrian access from the development site to other pedestrian footways which lead into the villages of Puckeridge and Standon. Such works to create pedestrian access are important in this respect and can be secured through a planning condition.

Neighbour amenity

- 10.32 The main consideration relates to the impact on living conditions of those neighbouring properties within Stortford Road and Town Farm Crescent.
- 10.33 Those neighbouring dwellings within Stortford Road are considered to be an appropriate distance with the A120 between those neighbouring properties and the development site which will ensure that there is no significant harm on their living conditions.
- 10.34 Dwellings in Town Farm Crescent back onto the western boundary of the application site – the indicative drawing demonstrates a development which will provide an appropriate relationship between the proposed dwellings and existing development. Officers are of the opinion that there is sufficient space within the site to ensure an appropriate relationship between the proposed dwellings and those neighbouring properties, and details of these relationships can be appropriately secured within any reserved matters application.

Drainage matters

- 10.35 The NPPF sets out that local planning authorities should take full account of flood risk, water supply and demand considerations. New development should be planned to avoid increased vulnerability to the range of impacts arising from climate change.
- 10.36 In the current Local Plan, policy ENV18 requires that development should be required to preserve and enhance the water environment. Policy ENV19 addresses issues related in areas at risk of flooding and policy ENV21 deals with surface water drainage matters.
- 10.37 In the emerging District Plan, policy WAT3 sets out that development proposals should preserve and enhance the water environment ensuring improvements in surface water quality and the ecological value of watercourses and their margins. Opportunities should be taken for the removal of culverts and river restoration and naturalisation. Policy WAT5 of the emerging District Plan relates to the implementation of sustainable drainage solutions.
- 10.38 The site lies within flood zone 1 which is an area designated at low risk of fluvial flooding and there is a small area to the south of the site which the Environment agency surface water flooding maps indicate that the application site is at a risk of surface water flooding.

10.39 The LLFA have commented that the drainage proposals show that the development site can be adequately drained and potential existing surface water risk can be mitigated. The indicative plans and information submitted with the application indicate the provision of sustainable drainage systems which accord with the requirements of existing and emerging plans. On the basis of the advice received, Officers are of the opinion that the development is acceptable in terms of provision of drainage matters.

Section 106 matters

10.40 As the proposal is for more than 10 residential units, the need for financial contributions is required under the Council's Planning Obligations SPD and the Herts County Council (HCC) Planning Obligations Toolkit. Policy IMP1 of the Local Plan sets out that developers will be required to make appropriate provision for open space and recreation facilities, education, sustainable transport modes and other infrastructure improvements.

10.41 The County Council have set out a requirement for financial contributions towards libraries and youth in accordance with the HCC Planning Obligations Toolkit. Having regard to the comments from the County Council, the contributions requested are considered necessary and reasonable based on pressures that the development will place on existing infrastructure. The obligations are therefore considered to meet the tests set out in Section 122 of The Community Infrastructure Levy Regulations (CIL) 2010.

10.42 With regards to other District Council contributions the Council's Planning Obligations SPD sets out a requirement for contributions towards open space provision, community centres and recycling. In this respect, contributions towards parks and public gardens, outdoor sports facilities and children and young people have been discussed with the applicant. The obligations are considered to meet the tests set out in Section 122 of The Community Infrastructure Levy Regulations (CIL) 2010.

10.43 The applicant has agreed to the financial contributions as set out at the end of this report and the proposed development is therefore not considered to result in a significant impact on infrastructure.

Other matters

10.44 HCC advisors have made comments in regard to mineral potential in that the site sits entirely within the sand and gravel belt as identified in

the Hertfordshire Minerals Local Plan. Minerals Policy 5 encourages the opportunistic extraction of minerals for use on site prior to development that would sterilise any potential. Given the currently unknown status of the site with regard to minerals potential it cannot be clear what impact the identification of deposits may have, if any were found. It is considered that further investigation should take place and this is a matter which can be controlled through the imposition of a planning condition and has a neutral impact in the planning balance.

11.0 Conclusion

- 11.1 The proposal represents an inappropriate form of development which is contrary to the Council's Rural Area policies. Emerging policy in the pre-submission District Plan is at a stage where some weight can be attached to it, but this must be qualified by the stage reached in the preparation processes. The Neighbourhood Plan is at an early stage in development and no significant weight can be attached to this.
- 11.2 The NPPF sets out that, where Local Plans are out of date in terms of housing supply, there is a presumption in favour of sustainable development and significant weight should be given to the benefit of the delivery of new homes. In these circumstances, proposals should be approved unless the impact of doing so would significantly and demonstrably outweigh the benefits of development.
- 11.3 To make that judgement, all relevant material considerations have been assessed. In respect of the economic and social dimension of sustainability, the development will result in job creation in terms of the initial construction phase and the way in which future residents will help to support existing local services and amenities. More significantly, the development will create 15 new dwellings including affordable housing and these matters must attract significant weight in support of the application.
- 11.4 The application site is considered to be reasonably well located to the existing amenities in the village including, primary and other village amenities including a village shop, albeit road and pedestrian footway conditions are unlikely to encourage the provision of walking or cycling to the village. The village is limited in terms of secondary education, employment and the retail offer for anything other than very basic items is also limited. There is therefore likely to be reliance on private vehicles to access these services and this must weigh against the proposals.
- 11.5 The development is considered to be acceptable in terms of highway considerations; the landscape and visual impact of the development;

the relationship with neighbouring properties, and flood risk matters. The applicant has agreed to make financial contributions which will mitigate the impact of the development on existing infrastructure. These are all matters which are considered to be neutral in the balance of considerations.

- 11.6 In accordance with paragraph 14 of the NPPF a balancing exercise has to be undertaken to determine whether the adverse impacts associated with the development significantly and demonstrably outweigh the benefits. The conclusion to this balancing exercise in this case is that there are no significant and adverse impacts and the development proposal is considered to be sustainable. Accordingly, Officers consider that the development proposal can be supported and recommend that planning permission is approved subject to the legal agreement and planning conditions as set out below:-

Legal Agreement

- A financial contribution toward Youth services provided by HCC towards new furniture within the Information and Guidance Suite at Bishop's Stortford Youth Centre in accordance with the Hertfordshire County Council Planning Obligations Toolkit 2008;
- A financial contribution toward enhancement of the Children's area at Bishop's Stortford library in accordance with the Hertfordshire County Council Planning Obligations Toolkit 2008;
- The provision of affordable housing (to comprise 40% of the overall number of units and to constitute 75% affordable rented and 25% shared ownership);
- A financial contribution towards the improvement of parks and public garden facilities within the parish based upon table 8 in the EHDC Planning Obligations SPD;
- A financial contribution towards the provision of outdoor sport in the parish based upon table 8 in the Planning Obligations SPD;
- A financial contribution towards children and young people based upon table 8 in the Planning Obligations SPD;
- A financial contribution towards an extension to the Puckeridge Community Centre based up table 11 in the Planning Obligations SPD;

- A financial contribution towards recycling facilities based upon table 10 in the Planning Obligations SPD;
- The provision of fire hydrants.

Conditions

1. Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 and to ensure timely housing delivery.

2. Application for approval of the reserved matters shall be made to the Local Planning Authority not later than two years from the date of this permission.

Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 and to ensure timely housing delivery.

3. The development hereby permitted shall begin not later than one year from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with the provision of Article 4 of the Town and Country Planning (Development Management Procedure) Order 2010.

4. Approved plans (2E103)
5. In accordance with condition 1 above, space for replacement parking as indicated on drawing reference 214261 DWG 100 Rev B shall be provided on site and retained for existing residents of Stortford Road only.

Reason: To ensure appropriate provision of parking for current residents who use the current layby which will be altered as a result of this development in accordance with policy TR7 of the East Herts Local Plan Second Review April 2007.

6. Visibility splays of 2.4 metres x 90 metres shall be provided and permanently retained in each direction within which there shall be no obstruction to visibility between 600mm and 2 metres above the carriageway.

Reason: To provide adequate visibility for drivers entering or leaving the site in the interests of highway safety.

7. The gradient of access shall not be steeper than 1:20 for the first 10 metres from the edge of the carriageway.

Reason: To ensure that vehicles may enter and leave the site with the minimum of interference to the free flow of the highway.

8. In accordance with condition 1 and as part of a Reserved Matters application, details of the provision and widening of the pedestrian footway to the southern boundary of the site, as indicated on drawing number 214261 DWG 100 Rev B shall be submitted to and approved in writing by the Local Planning Authority. The Pedestrian footway shall be implemented and made ready for use prior to first occupation of any part of the development

Reason: To ensure the provision of appropriate pedestrian access between the development site and the villages of Puckeridge and Standon.

9. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment and Surface Water Strategy produced by RAB Consultants dated 14 December 2016 and the following mitigation measures detailed within the FRA:

- Implement appropriate drainage strategy based on an infiltration pond, that will be sized to safely manage the 1 in 100 year + climate change event.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site and reduce the risk of flooding to the proposed development and future occupants in accordance with policy ENV21 of the East Herts Local Plan Second Review April 2007 and the National Planning Policy Framework.

10. No development shall take place until a detailed drainage strategy based on the principles agreed at the Outline Planning permission

stage has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate how it complies with the outline drainage strategy. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include:

- Final drainage strategy supported by full detailed drawings and drainage calculations for all rainfall return periods up to and including the 1 in 100 year + climate change allowance event.
- Full detailed engineering drawings of the design of all the proposed SuDS measures, in line with the latest edition of the SuDS Manual by CIRIA
- Management and maintenance plan for the development which shall include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason: To ensure the site can effectively be drained during the lifetime of the development, also preventing the increase risk of flooding both on and off site in accordance with policy ENV21 of the East Herts Local Plan Second Review April 2007 and the National Planning Policy Framework.

11. Prior to the commencement of development a Construction Management Plan which shall be submitted to and approved in writing by the Local Planning Authority. The approved Construction Management Plan shall be adhered to throughout the construction period and shall provide for:
 - a) The parking of vehicles of site operatives and visitors;
 - b) The number and 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) Measures 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.

12. Prior to the submission of the first of the reserved matters referred to in condition 1 above, appropriate survey and ground investigation work shall be undertaken to explore the potential of the site to yield useable minerals and, where it has the potential to do so, the actions which will be taken to ensure the use of those minerals and the timescales within which these will be undertaken. A report of the investigative work undertaken, the outcome of it, and usage actions, if appropriate, shall be submitted to the local planning authority at the same time as the submission of the first of the reserved matters submissions referred to in condition 1 above. Once agreed by the local planning authority, the actions set out in the report, for the usage of any minerals, shall be implemented and undertaken as such.

Reason: To ensure that the potential of the site to realise useable mineral deposits is fully investigated prior to any development which may result in the sterilisation of such deposits in accordance with policy 5 of the Hertfordshire Minerals Local Plan (March 2007).

Informative

- 1. Highway works (05FC2)
- 2. Street Naming and Numbering (19SN5)

Summary of Reasons for Decision

East Herts Council has considered the applicant's proposal in a positive and proactive manner with regard to the policies of the Development Plan; the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The balance of the considerations having regard to those policies and the way in which the development will address housing land supply issues is that permission should be granted.

KEY DATA**Residential Development**

Residential density	15.6 units/Ha	
	Bed spaces	Number of units
Number of existing units demolished		
Number of new flat units	1	
	2	
	3	
Number of new house units	1	
	2	2
	3	7
	4+	6
Total		15

Affordable Housing

Number of units	Percentage
6	40%

Residential Vehicle Parking Provision

Current Parking Policy Maximum Standards (EHDC 2007 Local Plan)

Parking Zone		
Residential unit size (bed spaces)	Spaces per unit	Spaces required
1	1.25	
2	1.50	3
3	2.25	15.75
4+	3.00	18
Total required		36.75
Proposed provision		52

Emerging Parking Standards (endorsed at District Plan Panel 19 March 2015)

Parking Zone		
Residential unit size (bed spaces)	Spaces per unit	Spaces required
1	1.50	
2	2.00	4
3	2.50	17.5
4+	3.00	18
Total required		39.5
Accessibility reduction	25%	9.9
Resulting requirement		29.6
Proposed provision		52

Legal Agreement – financial obligations

This table sets out the financial obligations that could potentially be sought from the proposed development in accordance with the East Herts Planning Obligations SPD 2008; sets out what financial obligations have actually been recommended in this case, and explains the reasons for any deviation from the SPD standard.

Obligation	Amount sought by EH Planning obligations SPD	Amount recommended in this case	Reason for difference (if any)
Affordable Housing		40%	
Parks and Public Gardens	Unknown as outline application	The contribution based on table 8 in the Planning Obligation SPD	n/a
Outdoor Sports facilities	Unknown as outline application	The contribution based on table 8 in the Planning Obligation SPD	n/a

Amenity Green Space	Unknown as outline application	£0	Some space is allocated within the development site for amenity green space which is commensurate with the area of space required in the SPD.
Provision for children and young people	Unknown as outline application	The contribution based on table 8 in the Planning Obligation SPD	n/a
Maintenance contribution - Parks and public gardens	£0		No maintenance requirement as no on-site provision
Maintenance contribution - Outdoor Sports facilities	£0		No maintenance requirement as no on-site provision
Maintenance contribution - Amenity Green Space	£0		No contribution sought as amenity space would be privately maintained
Maintenance contribution - Provision for children and young people	£0		No maintenance requirement as no on-site provision
Community Centres and Village Halls	Unknown as outline application		
Recycling facilities (11 dwelling net increase)	Unknown as outline application		