

DEVELOPMENT MANAGEMENT COMMITTEE – 20 JUNE 2018

Application Number	3/18/0432/FUL
Proposal	Erection of Multi Storey Car Park (MSCP) over six levels providing 546 spaces, open air surface car parking for 35 spaces to the north of the car park. Erection of a 4 storey building with commercial use at ground floor and 15 residential flats arranged over the upper 3 levels, a multi-use games area (MUGA) and associated highway and public realm works. Removal of fence and retaining wall.
Location	EHDC Car Park, Northgate End, Bishop's Stortford CM23 2ET
Applicant	East Herts Council
Parish	Bishop's Stortford CP
Ward	Bishop's Stortford Meads

Date of Registration of Application	2 March 2018
Target Determination Date	1 June 2018
Reason for Committee Report	Major planning application and East Herts District Council is applicant.
Case Officer	Fiona Dunning

RECOMMENDATION

That planning permission be **GRANTED** subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) and conditions set out at the end of this report.

1.0 Summary of Proposal and Main Issues

- 1.1 Members will note that the applicant in relation to this set of proposals is East Herts Council. This committee is charged with considering the submission in the role of the Council as Local Planning Authority. It is acceptable for the Council to act both as the promoter of development and the planning authority, as it is doing in this case.

- 1.2 The formulation of the proposals has been led by a working group of officers. That group has not comprised officers employed in the planning service of the Council. Planning officers have provided advice and input into the scheme, as it has been developed, as they would normally do through the pre-application processes and service provided by the planning authority.
- 1.3 There are four main elements of the proposed development, which include the provision of:
 - a multi-storey car park over six levels (including the ground floor and surface parking);
 - a mixed use building comprising 15 residential dwellings over a commercial space at ground floor level with associated landscaping and parking;
 - the works in the northern part of the site including the 5 parking spaces for the youth centre and the provision of a Multi-Use Games Area; and
 - public realm improvements along the street frontage, including the highway improvements works.
- 1.4 The Design and Access Statement sets out the relationship between these proposals and further development proposals that are to follow in relation to the current Causeway car park area to the south of Link Road.
- 1.5 The multi-storey car park is proposed to provide an additional 197 spaces above the existing car park provision on site and at the Causeway car park. The car park building has been designed to have a ground and three storey element fronting Link Road, with the upper 2 storeys setback 11.5m from the building below.
- 1.6 The application initially included a new access into the Waitrose parking area off Link Road opposite the car park access but this was subsequently removed from the public realm proposals.

- 1.7 These development proposals clearly raise a number of significant issues. To the north of the site are existing residential dwellings on Yew Tree Place. There is further existing residential uses to the north of the Northgate End youth services building. The proposals change the relationship between these residential dwellings and the land adjacent to them and it will be necessary to weigh these impacts carefully in the consideration of these proposals.
- 1.8 Members will note that the proposals require the use of land currently outside the control of the applicant. Land ownership is not a matter to be considered in general in the determination of planning proposals. The operator of the adjacent youth services building to the north (Herts CC) has submitted comments on the impact of the proposals on its operation. It is appropriate to consider the impact of the development on this element of public service provision.
- 1.9 Given its location close to the commercial core of the town and its current use, the southern part of the site is readily apparent in public viewpoints of the area and forms part of its character. That character will change as a result of the proposals and it is necessary to consider that impact carefully and the degree to which it can be considered harmful.
- 1.10 Lastly, in relation to the most significant issues raised by the development, is that of the highways and transport matters. Many commentators have made submissions with regard to the relationship of the proposals and the general transport objectives of the planning authority, to seek to promote and enhance sustainable transport modes. In addition to this area of policy consideration, the development also has an impact in relation to junction operation and highway flows.

2.0 Site Description

- 2.1 The site is located to the north of Bishop's Stortford Town Centre and part of it is currently used as an open level public car park with access from the A1250 Link Road and exit onto Northgate End. The

northern part of the site is located to the rear (east) of the Northgate End Youth Centre, No. 14a Northgate End and to the south of 7, 8, 9 and 10 Yew Tree Place. That area comprises a surface level car park for approximately 20 cars and a green open space, both of which are used as part of the youth centre. This car park is accessible from Yew Tree Place. The amount of parking spaces provided in these two areas overall at present is 162 spaces.

- 2.2 The site area is 0.88 hectares.
- 2.3 The site does not have any recent planning history but the southern area was once part of the cattle market for the town and the youth centre was formerly the Northgate County Primary School up to the late 1980s. The use of the southern part of the site as a public car park has been in place since the mid 1980's and is owned by East Herts District Council. Hertfordshire County Council owns the Northgate End Youth Centre, the car park and the open space to the rear and Bishop's Stortford Town Council owns the woodland area to the east of the site, a small part of this area is included in the boundary of the development site.
- 2.4 The former line of the River Stort runs north to south through the eastern side of the site and the culvert, which now follows the same route, runs under the access to the public car park from Link Road. The western boundary of the site is located on the corner of Northgate End and the A1250/Link Road and adjoins the Northgate End youth centre building. The northern boundary is at the rear of the dwellings fronting Yew Tree Place. The southern boundary adjoins the Link Road/A1250.
- 2.5 The two parts of the site do have distinct characteristics. Whilst beyond the town centre boundary defined in the emerging District Plan (Link Road forms the boundary), the public parking area feels part of the commercial core of the town, adjacent to the busy roads and with regular traffic to and across it. The area of land to the rear of the youth centre and behind the Yew Tree Place residential dwellings has a different character. Whilst this area is still close to the town centre it is cut off from it by the current northern

boundary line to the public car park. It provides a fairly quiet setting, particularly for the residents of 7, 8, 9 and 10 Yew Tree Place who have relatively short south-facing gardens and who have enjoyed the amenity the adjoining open space provides. It is less affected by the coming and going of vehicles and whilst used as an outdoor area by the youth service, this use appears less than intensive.

- 2.6 There is an historic environment to the site. A number of historic buildings in the town centre are listed. These are generally located along Water Lane and North Street with some also located to the west of Northgate End. The most important of these listed buildings is the Grade I listed remains of Waytemore Castle to the southeast of the site, which is a Scheduled Ancient Monument. The site is within the Conservation Area for the town and is also identified as an area of archaeological significance.
- 2.7 In the Conservation Area appraisal the youth centre building, frontage wall and adjoining residential property at Northgate End, are identified as unlisted buildings to be protected from demolition.

3.0 Planning History

- 3.1 The following planning history is of relevance to this proposal:-

Application Number	Proposal	Decision	Date
3/85/0809/DC	Use of site as Local Authority Car Park	Granted with conditions	17 July 1985

- 3.2 Residents in properties close to the site have contrasted the refusal of planning permission for domestic extension proposals at their properties with the scheme now being proposed. Members will be aware that all proposals need to be considered on the basis of the issues that they raise. Domestic proposals of the type referred to do not raise the same wide ranging community and economic impacts that the scheme now under consideration does. So, whilst it may appear counter intuitive to some, and whilst the outcome of

domestic development proposals on adjacent land are acknowledged, the decision to made in relation to this scheme is not which is to be made through a process of comparison with those domestic scale proposals.

4.0 Main Policy Issues

- 4.1 These relate to the relevant policies in the National Planning Policy Framework (NPPF), the pre-submission East Herts District Plan 2016 (along with the proposed Main Modifications) (DP), the adopted East Herts Local Plan 2007 (LP), the Hertfordshire County Council Waste Core Strategy and Development Management Policies DPD 2012, and the Bishop's Stortford (Silverleys and Meads) Neighbourhood Plan 2016 (NP).

Main Issue	NPPF Chapters	LP policy	DP policy	NP policy
Principle of development	Para 7, 14, section 1, 2, 6, 8, 9	GBC1 SD2 SD1 HSG1 HSG7 LRC4 LRC11	INT1 DPS1 DPS2 DPS3 GBR1 BISH1 BISH2 BISH8 BISH11 BISH12 CFLR7 CC1 CC2 ED1	HDP1 HDP7 C1 GIP2 TP9
Impact on youth services provision at Northgate End	Section 8	ENV3 LRC1 LRC3 LRC11	DES4 CFLR1 CFLR7 CFLR8 CFLR9	HDP7 C1 SP1/2/3

Impact on residential amenity	Section 6, 7, 8	HSG1 HSG7 ENV1 ENV3 ENV4 ENV23	DES3 DES4	HDP1 HDP2 HDP3 EQ3
Design and impact on character of area	Section 7, 11, 12	HSG7 GBC14 ENV1 ENV2 ENV11 BH1/2/3 BH6 BH7	DES1 DES2 DES3 HA1 HA2 HA3 HA4 HA7 NE4	HDP1 HDP2 HDP3 HDP7 HDP9
Noise impacts and Air Quality	Section 7	ENV24 ENV27	EQ2 EQ4	TP2
Highways and transport	Section 4	TR1 TR2 TR3 TR7 TR8 TR12 TR16	TRA1 TRA2 TRA3	TP1 TP3 TP4 TP7 TP8 TP9
Social and community infrastructure	Section 8	HSG3 HSG4 HSG6 LRC1 LRC3 LRC9 LRC11	DPS4 HOU1 HOU2 HOU3 HOU7 CFLR7 CFLR10 DEL1 DEL2	HDP1 HDP4 HDP5 HDP7 C1 GIP2 EP1 HP1

Drainage	Section 10	ENV18 ENV19 ENV20 ENV21	CC1 WAT1 WAT3 WAT4 WAT5 WAT6	GIP7
----------	---------------	----------------------------------	---	------

Other relevant issues are referred to in the 'Consideration of Relevant Issues' section below.

5.0 Summary of Consultee Responses

- 5.1 HCC Highway Authority initially raised concerns with the proposal as the new junction onto Link Road was to include a new arm into Waitrose, to the south. This presented a number of challenges with respect to modelling, including dealing with the short stacking space between the new junction and the Northgate End roundabout, queuing and ensuring pedestrians could cross the new junction in a timely fashion. The amendment of the proposals to remove the Waitrose arm is considered to make the junction work effectively and, as a result, the Highway Authority is not objecting to the proposal.
- 5.2 The Highway Authority accept the methodology used within the Transport Assessment report, addendum and Technical Note as the changes have sought to address comments made on the original details submitted. The proposed scheme shown on drawing No 03010 8D ASL Rev D is acceptable in principle subject to conditions including a Road Safety Audit and a Section 278 agreement.
- 5.3 The Highway Authority note that the proposed multi-storey car park will provide an additional 197 car parking spaces over and above the existing Northgate car park and Causeway car park provision. The additional spaces are proposed to accommodate the additional parking demand which will likely arise as a result of the development of the Old River Lane site. There is concern over this uplift, notwithstanding it is to accommodate additional parking

demand. This is due to other developments within Bishop's Stortford providing increased levels of parking and because additional parking provision does not appear to prioritise the promotion of sustainable transport such as walking and cycling. In addition, there will be a severance impact as a result of additional traffic movements on Link Road impacting on pedestrian movements.

- 5.4 The Hertfordshire County Council document, Planning Obligations guidance - toolkit for Hertfordshire (2008), sets out that for non-residential development, a charge of £500 per car parking space may be required to be assigned toward sustainable transport initiatives. The net increase of 197 spaces equates to the requirement for a payment of £98,500. For the residential element of the development, the level of development could attract a contribution of £5,000 towards sustainable transport. The emerging Bishop's Stortford Transport Strategy sets out a number of schemes toward which funding could be applied.
- 5.5 Lead Local Flood Authority comments that there is no objection in principle on flood risk grounds as the site can be adequately drained and any potential existing surface water flood risk can be mitigated as set out in the drainage strategy submitted with the application. It is noted that old River Stort culvert is not connected to the main river and only acts as part of the local drainage network. The local drainage network is used in the drainage strategy with other measures such as the use of permeable paving for at grade car parking areas and MUGA and an underground attenuation tank. The drainage strategy proposed will provide 84 – 90% betterment to the existing drainage. Micro-Drainage modelling has been provided which shows that a 1 in 100 flood event plus climate change can be catered for. Three conditions are proposed and an informative to ensure that the LLFA has input into the final design.
- 5.6 Environment Agency No objections are raised to the proposal on fluvial flood risk safety grounds as the Flood Risk Assessment submitted shows the finished floor levels being no lower than 37.0mAOD. Flood resilience/resistance measures should be

incorporated, including a 300mm above the 1 in 100 year flood level to accommodate any inaccuracies in the data and any irregularities in ground levels. Exit from the site in a flood event should be considered along with any required signage. An informative is requested advising that a Flood Risk Activity Permit is required as the land is within 8 metres of the old River Stort, which is designated as a main river.

- 5.7 Thames Water raises no objection to the proposed method of waste water disposal.
- 5.8 EHDC Housing Development Advisor confirms that the proposal should provide 40% affordable housing but the proposal is providing 20% due to the viability of the development. If the viability limits the scheme to the provision of 3 units then this will need to be included as a condition or legal agreement, with the tenure and units identified.
- 5.9 EHDC Conservation and Urban Design Advisor acknowledges that the site is within the Bishop's Stortford Conservation Area and the intention of intensifying the car parking on this site would enable better uses on the car parking sites within the town centre, avoiding large swathes of surface level parking. The mixed-use building containing commercial on the ground floor and 15 residential units above is considered to enhance the character and appearance of the Conservation Area by providing a strong building line and active street frontage. The siting of this mixed-use building with its massing and height would also help to reduce the prominence of the multi-storey car park when viewed from Hadham Road.
- 5.10 The conservation and urban design advisor states that the multi-storey car park has been well considered in its design as it has avoided large blank surfaces on the prominent elevations. Its height is to sit within the existing tree line of Swarder's Field and Castle Gardens. The car park building has been designed to have window reveals with metal shutters to ensure the building provides character rather than having a dull appearance. This is the same for the cylindrical ramps at the rear which are to be cladded in a metal

mesh with climbing greenery to help soften the appearance of the building. However, the massing of the building will result in a level of harm to the character and appearance of the conservation area, albeit less than substantial harm. This harm is also outweighed by the wider public benefits of the introduction of housing on the site and the long-term removal of existing surface level car parks within the town centre.

- 5.11 Historic England does not wish to offer any comments based on the information available. Recommends that the views of the specialist conservation and archaeological advisers are sought.
- 5.12 HCC Historic Environment Unit advises that the additional information of an archaeological desk-based assessment and a geoarchaeological survey has assisted in assessing the likely archaeological impacts. The borehole survey indicates that palaeoenvironmental remains of archaeological significance may be present but the remains are mainly below the level of likely impact. The survey also indicated that the site may be divided into two zones where the ground levels changed. The eastern and northern zone is within the floodplain of the former River Stort and the south western zone where the ground surface was higher. This south western zone may be impacted by the proposal, where there is higher potential for archaeological features but lower potential for palaeoenvironmental remains. The borehole survey has recommended further assessment of the sediments as this is likely to provide significant information about the environment and help mitigate impacts of the development on in-situ deposits.
- 5.13 The presence of made ground and lack of basements in the proposal means that while some archaeological features may be removed as a result of the development, the impact will be lessened. Therefore it is not recommended that a full archaeological evaluation via trial trenching is required. The impact on archaeological assets can be mitigated by a watching brief, secured through a condition.

- 5.14 EHDC Landscape Advisor states that the buildings form part of the landscape and therefore the appearance of the new buildings is assessed as part of the landscape impact. The landscape advisor considers that a curved building extending from Northgate End to more of Link Road would be a better design. The officer notes that a number of trees are to be removed and new planting is proposed to screen and soften the carpark. The advisor states that hornbeam trees could be planted along the northern boundary (in place of some of the parking spaces) to help soften the ramps of the car park building.
- 5.15 With respect to the mixed use building the advisor would have preferred for the existing established trees to remain and does not consider the design to be compatible with the surrounding area and states that a curved building would complement the existing pattern of development and the design could respond more to the change in scale between the Northgate End youth centre building and the proposed car park. The advisor considers this building requires a redesign in order to contribute to the streetscape and mitigate views of the car park. The massing of future buildings for the Old River Lane development opposite would assist in understanding the wider context of the proposed car park site development.
- 5.16 The Landscape Advisor currently recommends refusal further amendments to deal with the issues set out above.
- 5.17 Herts Ecology advises that it does not have any records of habitat or species data for this site but there are records of bats, otters, water voles, reptiles and notable birds and moths within the vicinity of the site. Adjacent to the boundary is an area of extensive woodlands, scrub, grassland playing field, part of the River Stort and marginal/wetland vegetation. The ecology survey undertaken in January 2018 indicated that the site had no significant habitats but had potential to support a number of species.

- 5.18 The proposal to plant trees and hedging to mitigate the removal of trees and grassland from the site is welcomed as it will provide a net gain enhancement for the site. The ecology report (from the applicant) states that there is potential to create a wet woodland in the land adjacent. This would need to be secured through a planning agreement such as a s106.
- 5.19 The proposed biodiversity enhancements and mitigation measures suggested in the ecology report would need to be secured through a Landscape and Ecological Management Plan (LEMP) condition and informatives.
- 5.20 HCC Development Services seeks financial contributions towards the provision of services as follows based on the proposed 15 residential units:
- Primary Education towards the expansion of St Joseph's RC Primary School by 0.5FE to 2FE - £5,263
 - Secondary Education towards the expansion of Herts and Essex High School by 20 places to 6FE - £2,441
 - Library Service towards the enhancement of Bishops Stortford Library to support improvements to the layout of the IT suite, newspaper and periodical area - £1,290
- 5.21 The County Council notes that the CIL Regulations discourage formulae to be used to calculate contributions but neither the County nor District have CIL. As a result the above planning obligations are the only way to mitigate impacts of the development. The County Council has a Toolkit that has been used to determine the contributions and request that Table 2 of the Toolkit be included in any Section 106 agreement. Table 2 provides details of the contributions sought for various types of dwellings and sizes.
- 5.22 HCC Minerals and Waste advises that the local planning authority should ensure that waste management is acceptable and good design is promoted and waste management facilities are integrated in the scheme in accordance with national and local policies. A

condition for a Construction Waste Management Plan should be included.

5.23 National Planning Policy for Waste (October 2014) requires that consideration is given to the following:

- the likely impact of proposed, non- waste related development on existing waste management facilities, and on sites and areas allocated for waste management, is acceptable and does not prejudice the implementation of the waste hierarchy and/or the efficient operation of such facilities;
- sufficient provision is made for waste management and the development promotes good design to secure the integration of waste management facilities with the rest of the development. For example, by ensuring that there is sufficient and discrete provision for bins, to facilitate a high quality, comprehensive and frequent household collection service;
- the handling of waste arising from the construction and operation of development maximises reuse/recovery opportunities, and minimises off-site disposal.

5.24 The relevant policies of the Hertfordshire County Council Waste Core Strategy and Development Management Policies Development Plan Document 2012 are:

- Policy 1: Strategy for the Provision for Waste Management Facilities. This is in regards to the penultimate paragraph of the policy;
- Policy 2: Waste Prevention and Reduction
- Policy 12: Sustainable Design, Construction and Demolition.

5.25 EHDC Environmental Health Advisor confirms that, with the addendum to the initial acoustic report, the noise impact of the MUGA has now been considered. The acoustic report however has used one reading at the front of the site to determine the background noise level and it is likely the rear of the site would have a lower background level. A number of conditions are proposed to mitigate impacts of the proposal.

- 5.26 Regarding air quality, the site is near to an AQMA (Air Quality Management Area). The Air Quality Assessment has identified a number of potential impacts on local air quality during construction and when the car park is operational. A condition is proposed to minimise any adverse impacts.
- 5.27 Herts Police Crime Prevention Advisor comments that further details on how "Secured By Design" is to be achieved would be welcome prior to the determination of the application.

(Note: EHDC, East Herts District Council; HCC, Hertfordshire County Council)

6.0 Town Council Representations

6.1 Bishop's Stortford Town Council (BSTC)

The Town Council objects to the proposal on the following grounds:

- Potential rise in air pollution to unacceptable levels due to increase in vehicles (similar to Hockerill junction, which is an Air Quality Management Area).
- Increased traffic from the development at Bishop's Stortford North converging at the new Northgate End junction and the need to address traffic congestion. It noted the problems on London Road due to Aldi store and Jackson Square car park needing to be reconfigured due to traffic gridlock.
- A Park and Ride scheme should be considered, particularly with the ability for local authorities to apply for funding under the Clean Air Fund in order to reduce air pollution.
- Why does the scheme need to be completed so quickly? What about the wider plan to develop the whole of Old River Lane? It is still uncertain what the final plans are for the new arts centre and cinema, retail and residential units.
- The proposed height would dwarf the Northgate Centre, which is a building of historical interest.
- The Town Council endorse the comments made by members of the public and consider them to be valid objections.

7.0 Summary of Other Representations

7.1 Bishop's Stortford Civic Federation

The Civic Federation object to the proposal on the grounds of the nature of the proposal; the timing of the application; traffic congestion; air quality; conservation area impact; alternative parking provision; and finance. The federation commissioned a review of the Transport Assessment (TA) and attached this review with the objection. The application has been amended with the removal of the access to the Waitrose car park. The summary of the issues raised for the original proposal and the amendments are below:

- It is not clear that the application forms part of a wider plan for the redevelopment of Old River Lane as the application has been submitted as a standalone proposal. The amended scheme, with the removal of the proposed Waitrose car park access that would enable a pedestrianised boulevard for Old River Lane, places doubt on the deliverability of that scheme.
- The TA Addendum indicates that the Waitrose access will be an incremental change which would result in a refusal of permission. A comprehensive plan for the whole of Old River Lane should be included in the current application.
- Removal of the access to Waitrose has been made to persuade Waitrose to withdraw its objection.
- Fewer than 197 additional parking spaces being provided, this will be insufficient if Old River Lane car park is removed and redevelopment of the site generates additional demand for car parking. With changes to Waitrose access, the net increase in spaces is 141 rather than 197 and no justification has been provided for any increase in spaces.
- The crossing proposed is in the wrong location and may conflict with the Castle Park pedestrian crossing and this hasn't been considered in the modelling of the traffic impacts.
- The town needs a transport and parking strategy before this standalone application should be determined.
- Impact on South Street for retail

- The development proposal should not be rushed as the town will be undergoing significant changes at Bishop's Stortford North and the goods yard.
- Comments from Waitrose on the Old River Lane site need to be carefully considered as it is believed there is a good case for doing nothing on the Old River Lane site at present. Therefore there is no urgency for the application to provide the replacement car parking spaces.
- Traffic counts were undertaken in summer holidays and this has not been addressed in the addendum as further traffic counts were undertaken when Hadham Road was affected due to roadworks.
- The additional population of Bishop's Stortford North has not been considered in the projected traffic.
- Queueing for the multi-storey car park has been overlooked and may result in the same problem of Aldi on London Road creating more congestion. The Addendum will remove the traffic backing up to enter Waitrose carpark but it is likely the junction will operate at capacity soon after the multi-storey car park opens.
- The air quality assessment has not clearly stated the assumptions that were made. Queueing is considered likely and the pollution created needs to be considered. Residents downwind of the car park are likely to be impacted by high levels of pollution. Has the potential traffic congestion and the operation of the car park been considered?
- The Conservation Area Appraisal and Management Plan identified Grange Paddocks and Town Meads as an important open space. Part of the multi-storey car park proposal is on this open space and creates a gross intrusion without any public interest benefit.
- The Hendersons scheme was subject to a design review and some of the panel's comments are relevant to the current application.
- There are alternatives to solving the parking problems, which include providing a long-term parking out of the town centre and providing more short-stay parking areas within a short walk to services and facilities of the town centre.

- No. 1 the Causeway site could provide additional car parking spaces without impacting on retail or the environment. If the carpark was not required then the residential-lead mixed use building would not be required as it appears the only reason for this building is to help hide the multi-storey car park.
- Impact on amenity and air quality due to traffic congestion and piling.
- Comprehensive parking strategy is needed for the town centre and current proposals should wait for this.

7.2 Bishop's Stortford Climate Group

The Climate Group appreciate that the development will release land in Old River Lane for other uses but have the following concerns:

- consider the proposed car park is too tall for the space it occupies and will create a significant impact on Yew Tree Place and the Northgate Centre
- site is within the conservation area and is out of keeping with surrounding buildings and should not detract from them
- the residential building is taller than other buildings adjoining and nearby
- the net increase of about 121 car parking spaces is not justified and is contrary to the County and District Councils commitment to sustainable transport and the Neighbourhood Plan
- there should be more focus on a model shift from private vehicles to public transport, walking and cycling rather than providing more car parking in the town
- loss of parking space for the Northgate Centre may impact on local community using the centre
- the original traffic modelling is not credible and the town can easily become gridlocked, creating an increase in air pollution.
- Increased population has not been taken into consideration and increasing the provision of car parking in the town centre will not encourage a model shift, which is important for the new residents to the north of the town centre
- There needs to be a commitment to reduce air quality problems such as in the Hockerill AQMA. The additional

buildings fronting the highway will contribute to reducing air flow around the junction and congestion could cause air quality issues elsewhere near the site.

7.3 Chantry Community Association

This association represents 1600 households in Chantry. There is support for the need for more car parking in Bishop's Stortford and the need to develop the Old River Lane site. However the association objects for the following reasons:

- Not the best place for a multi-storey car park. The Goods Yard site is more appropriate or the Old River Lane site
- Traffic impact has not been properly analysed
- The site is within a conservation area and the building is too high and should be restricted to 3 storeys. The building will loom over the dwellings in Yew Tree Place and does not complement the character of Bishop's Stortford.

7.4 Herts Property Officer (representing HCC as landowner) advises that Hertfordshire County Council is responding as landlord and HCC Children Services. Further information on how the proposal impacts on the Hockerill Air Quality Management plan and mitigation measures for users of the Centre for Young People is required. HCC has not presently agreed to the loss of the car parking or the loss of the playing field and open space and will not agree to replacement trees being located on HCC land. The proposal has reduced parking for the Youth Centre by 15 spaces. Free access to the new (public) car park for events at the Youth Centre will need to be arranged as the loss of the parking limits the attraction to potential user groups of the centre.

7.5 The MUGA is required to have a run off area of 2 – 3m each side and will need to be revised and agreed with HCC. It partly mitigates against the loss of the green field, however the loss will limit the current curriculum programme. The MUGA is some distance from Northgate Centre, which raises management and safety issues. HCC has also commented that the loss of the grassed field limits flexibility on the community use of this area.

- 7.6 The field beyond the existing car park at the rear of the youth centre is closer than the proposed MUGA so that there is easier movement between the two areas and therefore can be safely and operationally managed when it is used, generally 3 times a week in spring, summer and autumn.
- 7.7 Other representations: 120 responses have been received after two rounds of consultation. The first consultation was from 2 March 2018 to 5 April 2018 and the second re-consultation for 2 weeks commenced on 15 May 2018 and closed on 29 May 2018. Any comments received after this report is published will be set out for Members in the additional representations summary. The amendments to the highways layout addressed some of the concerns raised, such as part of the objection made on behalf of Waitrose, but generally objectors took the second round of consultation to comment on the consultees comments or to reiterate their initial objections. There are many households where more than one objection was received and two households submitted multiple objections. Each of these objections has been counted in the 120. The responses objecting to the proposals are on the following grounds:

Amenity of adjoining residents

- Building too close to Yew Tree Place residential properties creating a sense of enclosure and loss of outlook
- Loss of greenspace at rear of site
- Description of site in application is not accurate as the rear of the site has been overlooked
- MUGA will create extra noise, security issues and will require lighting
- Not convinced by mitigation measures of acoustic report for MUGA
- No changing facilities for MUGA
- Lighting of the car park will create additional impacts
- Loss of privacy due to overlooking or perception of overlooking
- Loss of privacy due to location of development to Yew Tree Place

- Car parking at rear of site too close to rear of Yew Tree Place residential properties
- Inconvenience due to additional traffic generation
- Loss of light
- Unacceptable noise from the MUGA, which will create annoyance to residents and is likely to be a nuisance
- Unacceptable impact on air quality
- Impact on long-term future of trees
- Acoustic barrier of 4.5m will block light and views and cannot be acceptable
- Residents of Yew Tree Place access the open space and the MUGA will remove this open space and access to the adjoining woodlands, which were preserved as part of the Yew Tree Place development
- Noise levels from MUGA not acceptable
- Lighting for the MUGA will have a significant impact on residents and wildlife.
- Landscape officer has not commented on MUGA and its impact on the environment
- Management of MUGA will be costly and outside experience of current users
- Light impacts from car park and MUGA

Noise impacts and Air Quality

- Impact on air quality from congestion and the increase in vehicles parking closer to residential dwellings
- Impact on noise from MUGA and additional cars
- MUGA and walkway will create significant impact and acoustic barrier is not realistic as it will have an impact on conservation area and outlook of adjoining neighbours
- Alternative locations for a MUGA such as Grange Paddocks
- MUGA is in wrong place and will have significant impacts on neighbours and woodlands
- Air quality assessment has not been considered in the existing playing field area or Yew Tree Place gardens – reference is made to traffic volumes in Link Road and adjacent roads only.
- Environmental and acoustic reports are flawed as they have not taken into consideration the impact on the woodland

- Acoustic report amended twice but still does not address noise from cars, people and doors being slammed 7 days a week 0700 to 2300, which will have a significant impact on adjoining neighbours.
- Air quality report has been based on misleading traffic assessment data.

Character and appearance

- Out of scale with surrounding area and market town character
- The building looms over the Northgate Centre and the residential dwellings in Yew Tree Place
- Loss of green space
- Unsympathetic and incongruous design in a sensitive location
- Car park is in the wrong place and should be within the town centre south of Link Road. Adjacent to Charrington House is the best location and will be close to the proposed Arts Centre and a multi-storey car park will be of similar height to other buildings nearby.
- MUGA should be removed from the plans
- Comments from landscape officer indicates that the advisor has not visited the site
- There has been no addendum to the Landscape and Visual Impact Assessment that addresses the MUGA

Parking, Traffic and Highway Safety

- Traffic congestion and more parking will not help
- Council should be reducing cars in the town centre
- Park and Ride scheme should be reviewed
- Needs to be a model shift
- It will not be safe for pedestrians
- More traffic lights will create further congestion
- Acceptability and safety of highway network not adequately addressed and would significantly impact on Waitrose store due to junction capacity and congestion, service yard access and loss of car parking at The Causeway.
- Loss of around 20 car parking spaces in Waitrose to accommodate new access.
- Additional traffic in town centre

- Loss of parking for youth centre and MUGA will generate more parking
- Amendment to the traffic scheme is an admission that the original scheme created danger to pedestrians
- Residents of recently built schemes will park their cars in the new car park
- Impact of new traffic cannot be established to any degree of accuracy therefore cannot determine traffic flows, noise and pollution etc.
- Proposal should be properly planned with highway authority support

Conservation area and archaeological impact

- Cannot put condition on archaeological impact
- Out of character with conservation area and s.72 of the 1990 Act applies
- Contrary to conservation management plan
- Impact on adjoining Northgate Centre which is an historic building
- Impact on Waytemore Castle
- Unacceptable and permanent harm to conservation area and other designated heritage assets and non-designated heritage assets.
- MUGA and fencing will create permanent damage to conservation area with 4.5m high acoustic barrier
- A garage extension at 14 Northgate End was refused on conservation grounds so how can the multi-storey car park be approved when it is a blatant contradiction to conservation policy
- The public should be consulted on the comprehensive scheme
- Site should be treated as a rural area in conservation terms
- Comments from conservation officer are not understood as proposal does not contribute to conservation area. A review of the comments should be made as there are impacts on the playing fields and historic former school building
- Proposal is being put forward as a comprehensive scheme but at a significant impact to adjoining residents and an eyesore building impacting on conservation area

Contrary to Policies

- Contrary to Policies GBC4, LRC1, BIS10, ENV1 and DES3
- Contrary to paragraphs 56 and 118 of NPPF

Ecology impact

- Proposal will cause significant and demonstrable harm which cannot be mitigated

Consultation and processing of application

- Site notice difficult to read
- Second consultation only 2 weeks
- Information not accessible on website

Other comments

- Very little benefit overall
- Planning balance - any benefits are clearly outweighed by harm
- Piecemeal approach taken rather than a comprehensive town centre proposal
- Amendments have addressed highways concerns but no other objections have been addressed. This lack of concern is disappointing
- Many significant objections to justify the application being withdrawn/refused and starting again
- The acoustic report does not refer to specific properties in Yew Tree Place
- Consultants do not appear to have visited the site
- Councils exposed to legal challenges over covenants
- The youth groups that use the centre need a very expensive MUGA which will require a considerable amount of public money given the acoustic treatment required
- Lack of clarity in regard to the District Council extending the car park over County Council land

- 7.8 3 responses have been received supporting the proposal:
- Additional car parking is needed for local businesses in the town centre

8.0 Consideration of Issues

Principle of development

- 8.1 The site lies to the north of the town centre boundary, as identified in the emerging District Plan. It is within the Bishop's Stortford Conservation Area and a small slice, at the eastern extent, forms part of the green belt. The site (apart from the green belt part) is within the development boundary for the town and, in this location, sustainable development is supported in principle.
- 8.2 Whilst they do not comprise part of the current proposals, submissions made as part of the application (in the Design and Access Statement) set out further background and context to this development. This leads on from the work that East Herts District Council commissioned in relation to the preparation of the Bishop's Stortford Town Centre Planning Framework (the Framework) in 2016.
- 8.3 In the Framework, the site forms a part of one of three focus areas, referred to as Old River Lane. Potential development ideas for the Old River Lane area include new buildings and the creation of a pedestrianised retail street connecting to the shops of North Street via Bridge Street and Water Lane. These new developments will replace the existing office building, known as Charringtons House and The Causeway surface car park. In addition to potential retail uses, it is likely that proposals for arts and community uses and residential uses will also come forward. Whilst definitive proposals are not being advanced at this time, the main objective of them will be to retain and improve the vitality of the town centre and to provide improved facilities to the expanding population of the town.
- 8.4 The current application site plays an enabling role in the wider proposals, in that it provides replacement and additional car parking for that which will be lost in the Causeway area, if and when the further development in that area comes forward. In this context significant positive weight can be assigned to the enabling and supporting role that these development proposals will play.

- 8.5 In addition to the replacement and additional car parking, the proposals will result in a modest element of commercial floorspace and (net lettable area: 358sqm) 15 residential units (of which 3 units, 20% are to be affordable units). The commercial floorspace will also act to replace that lost if Charringtons House is demolished.
- 8.6 The Council is now in a position where it can demonstrate sufficient supply of land to enable the delivery of 5 years worth of housing. The development of unallocated land coming forward, within settlement development boundaries, forms an important element of that. Further positive weight can be assigned as a result of the mixed nature of the development, delivering commercial space, residential units and a modest element of affordable housing.
- 8.7 With regard to the green belt, the part of the site located there comprises that area of the exit lane from the car park where it splits into left and right turn lanes. The left turning lane (heading eastward out of the car park onto Link Road) falls into the green belt. This comprises a modest element of the overall development but, in any event in this respect the proposals have been considered against the forms of development that are identified as not being inappropriate within the green belt, as set out in para 89 of the National Planning Policy Framework (NPPF) and the Council's Local Plan policies.
- 8.8 When considered either on its own (as a new area of roadway) or as part of the overall development (mixed use development), the proposals would constitute inappropriate development as set out in the NPPF. In that respect it is necessary to consider then whether there are matters to which weight can be given such that the harm to the green belt by way of inappropriateness, or any other harm, is clearly outweighed and therefore very special circumstances apply.
- 8.9 The conclusion in relation to this matter is set out in the main conclusion below, after all other issues have been considered.

- 8.10 Overall, the proposal will provide an intensification of the use of the site and will provide social and economic benefits to the wider community through the provision of housing, commercial floor space and enhanced transport provision. It is considered that, in principle, development of the uses proposed in this location, can be supported and substantial positive weight can be assigned because of the benefits of the development proposed itself. The weight is enhanced however as a result of the enabling impact it has in relation to the wider redevelopment of the Old River Lane site.

Impact on the operation and facilities of the Northgate Youth Centre service

- 8.11 At present the land behind the youth centre is used for car parking and open space for games and other outdoor activities. At present there are 20 parking spaces on the youth centre site and the remainder of the site comprises a grassed open space.
- 8.12 This open space behind the youth services building is not a public open space, but does form part of the community facility of the youth service use. Policy LRC1 of the Local Plan (CFLR8 of the District Plan and HDP7 of the NP) seek the retention of such spaces. The harm caused can be mitigated however by the provision of suitable replacement facilities. The County Council has confirmed that the existing open space is used in the summer, spring and autumn approximately 3 times a week and used for various activities to practice for the Duke of Edinburgh Award.
- 8.13 A multi use games area (MUGA) is proposed as a replacement for the part of the green space lost. This clearly provides the potential for more intensive use but of a smaller area. The MUGA would be provided with an artificial surface to enable that intensive use. There is currently an uncertainty with regard to the standard of provision. The County Council sets out that the design has not included run-off areas, which require an area of approximately 2-3m around the entire pitch and an additional area along one side for teams, coaches and officials. The results of acoustic assessment also suggest the provision of an enclosing structure which has visual

implications (referred to below). If the proposals are supported, final details of the MUGA can be requested to be addressed as a condition.

- 8.14 Access to the MUGA from the youth centre is along a 1.5m wide path running between the remaining 5 car parking spaces provided for the youth centre and the surface level public car park area. The path then has a 90 degree turn and runs along the boundary of 7, 8, 9 and 10 Yew Tree Place properties to the entrance of the MUGA. Compared with the existing arrangements, where the youth service building opens directly to its parking area and green space, access to the MUGA is less convenient. HCC (as operator of the youth service) refers to the service management issues that this will raise.
- 8.15 In addition to the MUGA, there is a small area of undeveloped green space to the east and south of it. It is difficult to see that these spaces will be useable to any great extent by the youth service. One would be adjacent to the public parking area, raising clear conflicts between the two uses. The other, to the east of the MUGA is limited in its size and with no apparent accessibility arrangements.
- 8.16 HCC refer to the loss of parking spaces available for the youth service building and the impact that this will have on the ability to use the building for other purposes. Whilst that is noted, the adjacent public parking provision appears a reasonable replacement for that lost and in close proximity. HCC refer also to the desire to secure a preferential parking arrangement for users of the youth service building. That is not considered to be relevant in planning terms, but the applicant and landowner can enter into negotiations to secure such an arrangement, if desired.
- 8.17 With respect to any direct impact of the multi-storey car park building on the use of the youth centre, the western wall of the car park building would be 7.5m from eastern-most wall of the youth centre building. The youth centre had planning permission granted in 2014 for an extension with a depth of 6m but this permission has not been implemented and has now lapsed. The existing rear lower ground floor of the youth centre will be at about ½ a storey above

the ground floor level of the car park. The majority of the youth centre is setback from the car park building by between 25 and 28m. The car park building will have an impact on the youth centre building, taking away the current open character to the north and west of it.

- 8.18 The proposed mixed use building fronting Northgate End, to the south of the youth centre, is not considered to impact on the centre, and certainly no more than the currently adjacent public parking area. There is a 12m gap between the two buildings. It is noted that the mixed use building is set forward of the youth centre and is taller, but due to the separation distance the proposed building is not considered to impact on the occupiers of the youth centre. The depth of the proposed mixed use building of 10m will also ensure that this will result in a dominance or enclosing impact.
- 8.19 In summary on this issue, it is considered that the proposed development will have an impact on the youth centre operations, primarily with regard to the use and management of its outdoor space. Harmful weight is assigned, but this is moderated by the positive impact of the provision of improved all weather facilities in place of the current green space.

Impact on residential amenity

- 8.20 The redevelopment of the site will change its function, character and appearance. The closest residential occupiers are those located to the north at Yew Tree Place, on Northgate End to the west of the site and the residential occupiers of the new units if they come forward. Relevant policies of the plans, Local Plan: HSG1, HSG7, ENV1, District Plan: DES3, DES4, NP: HDP2, HDP3, seeks to ensure that the impact of new development on the amenity of existing and future residential occupiers is acceptable.

- 8.21 Objections received raised concern about the overall height of the car park building and the dominating appearance it will have when viewed from the residential properties.
- 8.22 The car park has a ground floor and then five floors of parking above. It has a length of approximately 100 metres. The height of the ramps at the rear will be 17.5m approx. These are located approximately 22m from the northern site boundary at their closest point where the properties of 7, 8, 9 and 10 Yew Tree Place are located. The height proposed would make the car park building the tallest building in the immediate locality.
- 8.23 Planting is proposed to be provided around the building, with natural creeping plants encouraged to grow up the ramps of the building to form a green cladding. Whilst the landscape treatment is acknowledged, along with tree planting in the surface parking area, it is not considered that the ramps are likely to have the visual appearance of a two storey building, as suggested in the Design and Access Statement. They will, instead, appear as part of a much larger structure.
- 8.24 The proposed planting will have some degree of softening impact, but this is considered to be limited in potential, certainly in the early years of the development. Even in the longer term, the limited space for tree planting, the potential for damage by manoeuvring vehicles and the long term need to ensure maintenance requirements for the car park structure are all likely to restrict the potential for significant screening. The Landscape Advisor suggests additional planting be secured, but this would require the loss of proposed parking spaces and has the potential impact of further screening the Yew Tree Place residents from sunlight received from the south. To the west side of the building, tree planting is shown in land presumably retained by HCC as part of the youth service operation. HCC have indicated that this will not be acceptable and therefore the certainty of provision here cannot be confirmed.

- 8.25 Along the length of the west side of the car park building, further climbing plants are proposed to soften the appearance of the building. Appropriate access and maintenance requirements will need to be put into place to ensure the success of this planting in the long term. This side of the car park building is adjacent to the HCC retained land and what would become a space associated with the residential and commercial building.
- 8.26 Returning to the north, it is considered that, given the proximity of the proposal to the residential occupiers, those occupiers will appreciate a considerable change to their outlook. It will change from a soft, largely green outlook, to one that is dominated by a single built structure of significant scale.
- 8.27 To the west, the residential properties at Northgate End (14a and 16) will be more distant from the new car park building. There is intervening planting and domestic structures between these houses and the proposed development. They are orientated to the north east. Whilst there will still be an impact on the occupiers of these properties, it will be much reduced, compared with that in relation to Yew Tree Place.
- 8.28 The new residential units are generally orientated with an outlook over Northgate End and Link Road. On each of the three residential floors, three units are single aspect in that direction. The remaining two (at each end of the building) are dual aspect. Windows to the rear (toward the car park) are to secondary bedrooms and bathrooms. New residents will clearly be aware of the relationship between the units and the car park on making a decision to purchase or occupy. Whilst the car park building will dominate views to the rear of the residential units, the relationship between them is considered to be acceptable.
- 8.29 With regard to privacy, some respondents have expressed concern that users of the multi storey part of the car park will overlook their properties, leading to a harmful impact on privacy. It is considered unlikely that this will occur to the north of the proposed car park. The up and down ramps in this location will not be suitable for

pedestrian use and vehicle occupants will either be concentrating on driving, or will only momentarily have views beyond the car park, through the metal louvres.

- 8.30 It is possible that users of the multi storey car park will have views from the western side of the upper decks towards the youth centre and No. 14a and 16 Northgate End residential properties to the northwest and beyond Northgate End. These views are moderated by their distance and it is considered that the harm in this respect is negligible.
- 8.31 As well as the multi storey element of the car park, ground level parking is proposed to the rear (north) of the main building. As indicated, this will utilise much of the remainder of the green space currently to the rear of the youth centre building. The youth centre operators refer to the current use of this space, as being two or three times per week, during spring, summer and autumn. Closer to the Northgate Centre building the car parking associated with the use, with access from Yew Tree Place, presumably leads to some activity and noise, but is limited by the number of spaces (approx. 20).
- 8.32 The proposed use must be considered to be far more intensive in its nature than existing. The use of the space is effectively maximised for public car parking and the proposed MUGA facility. Given pressure for parking spaces in the town and the attractiveness of ground floor space, the site is likely to be used fairly consistently for parking from early morning to mid evening throughout the week. Sundays are likely to be quieter. If development proposals for the Old River Lane site are implemented, with evening arts and community uses, this is likely then to increase and extend the intensity of evening use.
- 8.33 Whilst amendment may be possible, the internal arrangements to the car park show that all occupiers of the ground floor spaces will need to circulate through the external space before they can exist the car park.

- 8.34 The proposed access arrangements for the MUGA are via a footpath access placed almost immediately to the rear of the Yew Tree Place properties. It is understood that the footway will be enclosed by low height fencing from the parking area. Whilst access will be controlled outside the hours of use, this appears to provide an area for which the maintenance of security will rely on a third party (HCC) in future. The Landscape Master plan shows the provision of hedging between the footway access and the rear boundaries of the Yew Tree Place properties. Again, this appears as a future maintenance liability that is to be passed to a third party.
- 8.35 The MUGA clearly has the potential to be used far more intensively than the current green space to the rear of the youth service building. Lighting of the MUGA has not been included in the application and therefore could only be used during daylight hours. However, the public parking area will be lit late into the evening and possibly all night (even if activity operated controls are used). Lighting to the upper levels of the car park also has the potential also to impact, although this will be largely contained within the building (within the ramp area) and, at the top, will be more remote from the residential properties.
- 8.36 Noise matters are considered later in this report. At this point, just in relation to the character of this space close to the residential occupiers, it will change from one of relative calm, with occasional use, to being a space intensively used, with moving vehicles late into the evening, a more intensive sporting use and an enclosed accessway adjacent to the residential property boundaries. Given the close proximity of the residential properties, the closest dwelling has a rear garden of between 3.3 and 5.2m in depth, occupiers here will appreciate a noticeable change.
- 8.37 In order to mitigate the noise impact of the MUGA, an enclosing structure is proposed. This is to be 4.5m in height to the north and west of the MUGA. This introduces a further visual change for the Yew Tree Place residents.

- 8.38 The occupiers have expressed considerable concern in relation to the overall change, and it is one that must be seen as negative for them. When considering the weight to be given, the role of the planning system is to ensure that amenity that occupiers would reasonably expect, is protected. It is not uncommon for residential uses to exist alongside public parking uses and, in a location relatively close to a town centre, for residential occupiers to live alongside uses creating activity. In this case, occupiers have enjoyed relative calm and isolation to date and it is the abruptness and scale of the change which is no doubt causing concern. The change is a harmful one, but the weight given to it is tempered by the fact that occupiers will not be faced with an amenity impact that is not experienced in many similar situations.
- 8.39 With specific regard to the assessment of daylight received by the properties, the Daylight and Sunlight Assessment submitted with the application shows that three windows of No. 10 Yew Tree Place will have a reduction in daylight. The Daylight and Sunlight Assessment concludes that due to other windows in the same room passing the Daylight test then overall there would not be a noticeable change. It is noted that these other windows are secondary windows and the main windows of the ground floor reception room would have between 7.6% and 8.8% reduction in daylight. No. 9 also has one window that falls below the daylight test but this is a secondary window and therefore is not considered significant.
- 8.40 With regard to the new residential units, the visual environment for them has been referred to above. In general terms, the residential building has been setback from the highway with landscaping provided between the pavement and the dwellings on its north west leg. None of the residential units are north facing and the two bedroom units are dual aspect. Each unit is provided with a balcony adjacent to the living room and there is lift access to the units.
- 8.41 Whilst the front entrance to the residential units is provided at the rear of the building, this area is secure. The entrance court is paved and landscaped so that it provides a shared amenity space. The

access courtyard area also provides secure bicycle storage areas and car parking for 9 cars, including two bays for disabled parking. In this location, current parking standards would require the provision of 20 spaces as a maximum).

- 8.42 The proposed dwellings are close to town centre, which will encourage walking and public transport links are within walking distance. The dwellings will be designed so that the indoor ambient noise levels are within the British Standard requirements, which are set out in the Acoustic Report.

Design and Visual Appearance, impact on character

- 8.43 National and local policies seek to secure high quality design in new developments. Policies ENV1 and 2 of the Local Plan, DES3 of the emerging District Plan and HDP1, 2, 3 and 9 of the NP all seek high quality design solutions.
- 8.44 The external brickwork at the front and rear and the mesh finish along the length of the western side of the building are considered to be of high quality and design however. It remains however that the car park and the residential/ commercial building comprises a significant change to the appearance of the area.
- 8.45 At the front of the site the car park building is proposed to be cladded in brick with window openings with infill metal shutters to take on the appearance of a modest building fronting the street. The long elevations are to be finished with metal cladding above ground floor level. At the rear of the site where the two ramps are located, it is proposed to be cladded in brick with slim vertical openings with the training of plants up the façade to green the building will help reduce the impact of this building.
- 8.46 The comments from the Landscape Officer, that not enough new planting is proposed and more planting of hornbeam trees at every fifth parking bay in the surface level car park would help reduce soften the impact of the building, are acknowledged. This is one of three points on which the Landscape Officer suggests that a

decision on the proposals should be withheld for the present. The car park building will be visible from short and longer distance views so it is important that the finishing materials are of high quality. The hard surfaces of brick and metal mesh will be softened by landscaping that will be encouraged to grow up along parts of the walls.

- 8.47 Where the frontage of the car park building steps back, planting is proposed at third storey level. Generally, the measures that are being taken to soften the impact of the building are ambitious. Some concern is raised with regard to the commitment to the ongoing maintenance of the measures. Trees in parking areas are prone to damage from moving vehicles. Those at the rear will need protection and replacement if damaged in this way. Trailing plants require a considerable management commitment and, as set out above, some of the landscaping proposed appears to be located in land that will be retained by HCC as part of the youth service operation. It is uncertain whether HCC will either accept the location of the landscaping or be willing to undertake the required maintenance.
- 8.48 The appearance of the car park building fronting Link Road is considered to be a good design solution with the building setback from the street on the upper two storeys, to provide a more human scale at street frontage where pedestrians will be close to it. The materials proposed are of good quality and will support the appearance of the car parking building. The upper level of the car park will not be visible from street level in front of the building but will be in long views. The finished material of the upper level will match the woven mesh of the sides of the building.
- 8.49 The mixed use building with commercial on the ground floor and three floors of residential above is proposed to be finished in redbrick and a slate roof to complement the youth centre. The four storey building sits forward of the adjoining youth centre building but is separated by the residential parking entrance and exit, so the proposed building does not block views to and from the frontage of this historic building. The proposed building has a straight frontage

but the landscaping in front of the building has a curve to complement the building located on the opposite corner of Northgate End. The bin store, cycle store, landscaped courtyard, entrance and car parking is located behind the building so that the façade to both Northgate End and Link Road has a clean finish above the ground floor commercial unit.

- 8.50 The commercial unit on the ground floor is contemporary in its finish and is considered to complement the locality in form and materials. The ground floor does not have an end use so it is proposed to be flexible and could be divided into two commercial units. The total lettable floor area of the commercial space is 358m².
- 8.51 The building is considered to respond well to its setting by providing a solid frontage to both Northgate End and Link Road, which is on the edge of the town centre. The landscaping in front of the building has a maximum depth of 5 metres which will enable some substantial landscaping to provide a pleasant outlook for occupiers on this busy traffic junction. The garden in front of the building is separated by a pathway so the growth of the trees will not be constrained by buildings.
- 8.52 The public realm area in front of the two buildings fronting Northgate End and Link Road will make the pedestrian environment more interesting with changes in paving materials and trees along both frontages. With the removal of the previously proposed access roadway to the Waitrose car park, there will be a larger area for pedestrians on the southern side of Link Road.
- 8.53 The advice of the Conservation and Urban Design advisor is strongly favourable, supporting proposals which lead to the relocation of the currently land use extensive car parking to the south of Link Road at the Causeway. The advisor also supports the design solution proposed and the layout of the site, with a non-curved building to the Northgate End junction, therefore not replicating the building treatment on the other side of the roadway (the car sales dealer building). Whilst the advisor concludes that any harm is mitigated

by the benefits of the scheme, ultimately that is a judgement for the decision maker, the members of this committee, to make.

- 8.54 The Landscape Advisor takes a differing view on design matters. Preferring instead a solution which does replicate that of the curving nature of the building opposite. The advisor also suggests the retention of existing planting to the Northgate End/ Link Road junction, in favour of new planting proposed. Whilst the advisor has concluded that the scheme should be refused as it currently stands, he has suggested that no decision be made in advance of amendments to the scheme to overcome the shortcomings perceived. These are, in addition to the planning proposed to the rear, the design solution to the frontage and the currently unknown relationship with the buildings which may come forward to the south of Link Road, in due course.
- 8.55 With regard to specific impacts on trees, the proposed development will result in the loss two trees on the northern part of the site, 9 trees in the middle of the site on the existing northern boundary of the car park, 4 trees on the eastern boundary within the site, 15 trees within the existing car park and the stand of trees containing 9 trees on the western side boundary with Northgate End. Two other trees are proposed to be removed that are outside the red line boundary and owned by the Town Council.
- 8.56 Whilst the loss of trees is considered to be a harmful impact, given the wider context of the site and the new planting proposed, this harm is considered to be minimal.
- 8.57 There are a number of designated and non-designated heritage assets adjoining and near to the site. These include the designated Scheduled Ancient Monument of Waytemore Castle to the southeast of the site opposite the Causeway car park and the non-designated heritage assets of the Northgate Youth Centre, 14a Northgate End and Glyn Hopkin Nissan 1930s building opposite the site on Northgate End.

- 8.58 The development site itself is within the Bishop's Stortford Conservation Area but is not identified as an important open space area in the Appraisal and Management Plan December 2014. The site is also identified as having archaeological importance and this is reflected in the archaeological surveys carried out and the comments received from the historic advisor.
- 8.59 Lastly, with regard to visual impacts, reference has been made above to the introduction of a 4.5m high enclosure to the north and west of the MUGA. This is likely to appear as a significant new element in the views to the rear of the closest property at Yew Tree Place.
- 8.60 Concluding on the matter of design, appearance and character impact, the development will be slotted into an area that is currently of mixed quality when perceived from most public viewpoints. The open surface car parking use is not considered to be one that adds value to the character of the area. However, the adjoining trees and the enclosure they provide do represent a strong feature of the existing character of the area.
- 8.61 This mixed open character will be replaced by one which is enclosed and far more urban in form. In a location close to the town centre this is not considered to be harmful. The scale of the buildings are large, with limited adjacent reference points other than the car dealership building opposite and the height of the adjacent trees. The commercial / residential building will be considerably higher than the Youth services building to the north and, whilst separated by the service access, this step up, whilst leading to the town centre and therefore appropriate, is significant.
- 8.62 The design of the buildings themselves are considered to be a high quality solution for the uses proposed. The difference of views of the professional advisors, referred to above, is noted. However, it is not considered that there is a firm basis to favour one of the design solution over another.

- 8.63 The NPPF sets out the weight to be given to the impact of development proposals in relation to heritage assets. In that respect, it is not considered that these proposals will result in substantial harm or the total loss of significance of a designated heritage asset (NPPF para 133). It is considered that there will be some harm, but that this will be less than substantial. In these circumstances (NPPF para 134) it is necessary to weigh the harm against the public benefits of the proposal.
- 8.64 In relation to the character of the Conservation Area, there is a duty placed on the planning authority, in determining applications, to ensure that the character is either preserved or enhanced. In respect of this, the character of the area will clearly change, but this is not considered necessarily to be harmful in respect of character. As a result, the duty placed on the planning authority would be met if the proposals were to be approved.
- 8.65 There are some elements of the proposals then that are considered to be harmful in character, design and visual impact terms. The loss of the trees for example, the relationship between the Northgate End building and the new building to the south and the requirement for the significant enclosure to the MUGA. Whilst the scale of the change is considered to be significant, given the positive elements of that change, well designed buildings and the use of appropriate design solutions, the overall impact is assigned neither positive or negative weight.

Noise and Air Quality

- 8.66 Noise generated from the use of the car park and MUGA and the impact on air quality from increased traffic was a major concern for many objectors. The application was submitted with an acoustic report by Adnitt Acoustics and an air quality assessment by Phlorum. The relevant policies seek to protect noise sensitive uses from noise. Policies ENV24 and ENV25 of the Local Plan, policies EQ2 and EQ4 of the emerging District Plan and TP2 of the NP all apply in this respect.

- 8.67 The acoustic assessment was updated to address the reduction in traffic (as a result of the highway changes) and the inclusion of the proposed MUGA, which is located approximately 7 metres from the rear boundary and 16.5 metres from the rear wall of No. 7 Yew Tree Place, the closest dwelling. The pathway that leads to the MUGA runs along the northern boundary setback from this boundary by 1.8 metres where a landscape hedge/screen is proposed. This walkway is adjacent to, but fenced off from the open ground level car parking. This walkway is between 5 and 8.6 metres from the rear walls of Nos. 7, 8, 9 and 10 Yew Tree Place dwellings. If permission was to be granted then the management of the MUGA and the accessway would need to be conditioned.
- 8.68 The siting of the MUGA is considered to be the best location possible within the site as it is the furthest from the dwellings in Yew Tree Place. There are potential noise impacts of the MUGA including balls etc. hitting fencing or hard backboards and shouting from players. A positive element is that lighting of the MUGA is not proposed so it will only be used in daylight hours. During summer months this could be late into the evening, so a condition could be imposed limiting the hours of use from 9am to 7pm on any day and requiring the access to be closed and inaccessible between 7.15pm and 8.45am.
- 8.69 Controlling the hours of use of the MUGA and securing the surrounding areas from anti-social behaviour would help minimise the impact on residential neighbours in Yew Tree Place. The acoustic report addendum also recommends a 4.5m high acoustic barrier along the northern and western boundary of the MUGA.
- 8.70 The Environmental Health advisor is concerned that the acoustic assessment does not include a background noise reading taken at a point to the rear of the Yew Tree Place properties. Instead, it relies on a reading taken at the frontage of the site adjacent to Northgate End and the youth service building. The outcome of this is that the noise impact of the development has been assessed against a background noise level that is likely to be higher than it is behind

Yew Tree Place, and therefore the change in noise level is potentially predicted as being less than it possibly is.

- 8.71 The applicant points out that the acoustic report has assessed the noise environment at the rear of the Yew Tree Place properties. The assessment shows that, for the new residential units, noise levels will slightly increase over the existing background levels. To the rear of the car park, noise levels will be lower.
- 8.72 In the absence of a specific assessment against the background noise level here this does seem counter intuitive and that the introduction of the new activity here is most likely to result in a higher noise environment. In the absence of a definitive position, this impact is considered to be a harmful one and one to which negative weight must be assigned. In respect of the weight, reference is made back to the comments set out above in relation to general amenity impacts and the point set out there in relation to the role of the planning system in considering these impacts.
- 8.73 In relation to air quality, the most sensitive locations were the higher trafficked roads. The assessment indicated that the nitrogen dioxide was below the exceedance levels.
- 8.74 The environmental health advisor provided comments on the addendum to the transport assessment and advised that the changes to the scheme will not change the air quality assessment. This is because the assessment is based on annual average daily traffic flows.
- 8.75 Whilst air quality was a concern raised by objectors, the traffic generated by the proposal is not likely to result in exceedance levels being breached.
- 8.76 In its favour, the proposed car park would provide additional charging points for electric vehicles, supporting measures that seek to reduce pollution as a result of travel in the future. This matter is considered to impact neutrally in the balance of considerations.

Highways and Traffic Impacts

- 8.77 As indicated, the proposed car park is to accommodate needs currently provided for at the Causeway and to support and enable the redevelopment of the Old River Lane site. In addition to the multi storey building, surface parking is to be provided at the rear of the site. The access and exit is located off Link Road, generally in the same location as the access to the existing Northgate End car park, where a signalised junction is proposed.
- 8.78 A number of objectors, and the Highway Authority, have questioned the credentials of the proposals when considered against objectives to encourage the use of travel modes other than the private car. The recently adopted Local Transport Plan 4 (LTP4) articulates that policy approach across the County. Both the NPPF and the Council's own policies also seek to achieve a shift in the transport choices made by those travelling in the district (Local Plan policies TR1, TR3, TR4, District Plan policies TRA1, TRA2, TRA3, NP policy TP1).
- 8.79 That policy objective is recognised, however, it is also necessary to consider the proposals in the wider context of what they enable. 241 spaces currently exist at the Causeway, supplemented by additional spaces at the site recently provided following demolition of 1 The Causeway. These spaces are subject to controls which relate some of them directly to use by tenants in the Charrington House building. In addition, they have provided on a temporary basis and therefore have generally been discounted from the assessment of spaces available overall here. 581 public spaces are to be provided at the site now proposed. 9 spaces are proposed for the new residential units.
- 8.80 The proposals represent an increase above the currently provided parking, so the proposals do not simply represent replacement. Whilst this is recognised, it is necessary to factor in the new uses proposed to be provided at the Old River Lane site. Whilst not definitive at this stage, arts and community uses, new retail floorspace and additional residential uses are anticipated. It also is unclear at present whether further parking provision will be re-

provided when the Old River Lane site does come forward for development. The currently articulated aspiration is to provide largely or totally car free public spaces within that new development. If little additional public or allocated parking is provided when the further development takes place then the balance between additional parking provision being made now and that required for the new uses, will shift, possibly quite considerably, in the future.

- 8.81 Further work in relation to future transport objectives for the town is being undertaken and is referred to by the Highway Authority in its response. This work is not complete yet but, when it is, is likely to provide the best basis against which decisions impacting on the future transport objectives for the town are determined. In advance of that, factoring in the desire to retain and strengthen the attractiveness of the town as a retail and leisure destination and acknowledging the previous output of parking demand surveys for the town, it is considered appropriate at this stage that planning decisions should continue to support a range of transport options in the town, including the provision of parking.
- 8.82 The Waitrose access was proposed initially because it further supported the potential to enable development at Old River Lane, by removing the need to access the Waitrose car park from Bridge Street to the south and thereby making it more likely that this area can become vehicle free. However, this element of the proposal has been removed because of the additional complexity it provided to the junction arrangements and the resulting impact on traffic flows.
- 8.83 The aspiration to redirect vehicle access in relation to the redevelopment of the Old River Lane site is understood and supported. It is unclear then what impact the removal of the proposed southward access now has on the ability to achieve that aspiration in relation to Old River Lane. It will be necessary to explore that further as proposals for that site are formulated.

- 8.84 Before their amendment, the Highway Authority recommended that the proposals should be refused for reasons relating to pedestrian safety, because of the impact of the proposals on traffic flows and for sustainability reasons. With regard to the modelling approach, whilst it was considered acceptable in principle, there was a concern that some committed developments had been omitted.
- 8.85 In relation to the junction arrangements (as first submitted), a concern was expressed that pedestrian flows would be high, causing the pedestrian crossing to be triggered more often than assumed, resulting in more traffic queueing than the assessment anticipated.
- 8.86 With the amendment to the scheme, the Highway authority has reached the conclusion that it no longer wishes to restrict the grant of planning permission. The Authority expresses a preference that a junction design that incorporates an advance stop line for cyclists is implemented. It considers that the removal of the proposed new road link to the south from the junction (to serve Waitrose) makes the junction work effectively.
- 8.87 The Civic Federation has commissioned consultants to undertake an assessment of the transport submissions made by the applicant. Those consultants have updated their advice to take into account the amended transport reports as a result of the change to the access arrangements.
- 8.88 The consultants on behalf of the Federation remain concerned that the increase in the provision of public parking is not justified. A concern remains that the traffic counts have not been undertaken at appropriate times, or that they have been impacted on by highway disruptions in the town. The consultants question the modelling approach that has been undertaken by the applicant and sets out that the improvement to the Northgate End junction (as a result of the installation of traffic lights) could have been implemented without the need for these proposals to proceed.

- 8.89 Those points are noted however, reliance is placed on the advice of the Highway Authority in reaching a view on the highway impacts of the proposals. The Highway Authority have reached a view that the proposals will operate acceptably in highway terms and that appropriate modelling and forecasting has been undertaken to substantiate the position reached.
- 8.90 With regard to the operation of the access, some commentators have pointed to experience elsewhere in the town where access to and exit from car parks has been difficult, particularly the Jackson Square MSCP and parking associated with a new retail use at London Road.
- 8.91 Each of these sites will have particular local circumstances which resulted in those impacts. One factor has been the inability for vehicles to exit quickly onto the highway due to local highway vehicle loading or adjacent junction arrangements. The Highway Authority have not identified the potential for the same impact to result from these proposals.
- 8.92 Overall then in relation to highway and traffic matters, the context of the proposals is considered to be such that concern that the impact will be a negative one in relation to the promotion of sustainable transport measures is not compelling. It is recommended that funding is released, as part of the proposals, to be put toward future sustainable transport schemes, as recommended by the Highway Authority. In relation to traffic generation, congestion and highway safety matters, the proposals are anticipated to operate satisfactorily. Neutral weight is assigned to the proposals in respect of highway matters.

Social and Community Infrastructure

- 8.93 The proposed 15 dwellings provide 8 x 1 bed and 4 x 2 bed market housing and 2 x 1 bed and 1 x 2 bed social rented housing. The proposals have been subject to a viability review as the 20% affordable housing provision is below the level of that which is sought through the application of the relevant policies.

- 8.94 The viability assessor for the Council (as planning authority) has concluded that the viability circumstances are such that it would not be reasonable to require the greater provision of affordable housing units. There are some areas of remaining uncertainty with regard to either build costs, or the values to be achieved by the development but the viability assessor has sensitivity tested the outcome if these potential improvements were to be considered favourably with regard to the value that the scheme might deliver.
- 8.95 These areas of testing relate to the sales values achieved for the sale of the one bed units, an increased lettable commercial floorspace area, lower build and external works costs and lower professional fees. However, with all of these applied, it is considered that the scheme remains in deficit. It is potentially the case then that the proposals may not support the delivery of any affordable housing units. Currently, 3 units of affordable housing are proposed and the viability modelling is based on other s106 costs of £150,000.
- 8.96 With regard to infrastructure, the provision that would normally be required by virtue of the application of the Council's Planning Obligations Supplementary Planning Guidance is set out at the end of this report. This would amount to £55,038 in total. It is not established where the future responsibility will lie for the maintenance of the amenity space to the rear of the mixed use building. However, in anticipation that this land will not be retained by the Council, and even if it were, because it is currently land owned by the Council, no new land maintenance responsibilities (other than those directly associated with the new buildings) will be incurred. As a result, it would not be reasonable in this case to seek funding contributions for maintenance purposes.
- 8.97 In addition, as the proposals play a role in the delivery of the wider Old River Lane development, it would be likely that any community contribution would be best directed toward the community facilities which may be provided there. However, as the applicant will be a primary party to that future provision, it will be making direct

funding contributions. As a result, it is not considered appropriate to seek this funding stream in relation to these proposals. The impact of this approach is to reduce the East Herts service funding contributions to £15,372.

- 8.98 In relation to County provided services, Members will note that contributions are sought toward primary and secondary education and library services of £8,994 in total. Finally, the Highway Authority seeks contributions of £103,500 toward the provision of sustainable transport measures. These contributions toward infrastructure are considered to be appropriate given the scale and nature of the development. They result in total s106 funding contributions of £127,866. This should not impact on the viability of the scheme given the potential funding contribution taken into account in the viability assessment work.
- 8.99 With regard to the residential units sizes, the Strategic Housing Market Assessment from 2015 indicates that the greatest need in the District, for both market and affordable housing, is for three bedroom dwellings. The proposal does not provide any 3 bedroom dwellings. However, larger dwellings are considered to be better suited to locations outside town centres where there is more space to provide larger amenity areas for families. With the mix of developments coming forward in the town and across the District, many providing larger unit sizes, it is considered that the mix proposed here is reasonable.

Drainage and de-culverting Old River Stort

- 8.100 The site can be acceptably drained so that there is no additional flood risk from the development. The Environment Agency advises that the finished floor levels should not be lower than 37.0mAOD. The ground level of the car park and the commercial floor space is 58.0m and 58.5m respectively therefore this will not result in any additional visual or character impact by virtue of a necessity to raise the building. Permeable paving of the surface level car park, access and the MUGA is recommended as part of the drainage strategy.

The Lead Local Flood Authority has raised no objections and recommended conditions.

- 8.101 In sustainable drainage terms the proposals have some benefits, for example the use of permeable paving and the opening up of the existing culvert (referred to below). However, other elements, such as the use of underground tanking, are not considered to be at the aspirational end of the sustainable drainage hierarchy.
- 8.102 With regard to the River Stort culvert, de-culverting is a positive element of the proposal as it provides an opportunity of improving biodiversity of the area as part of the development. The details of the location and arrangements for de-culverting are not currently specified, but it is likely that it will be placed in the land to the east of the site. In order to give certainty with regard to the delivery of this, it would be necessary to cover the matter in a legal agreement.
- 8.103 In its response to consultation, Herts Ecology have identified the proposal from the applicants ecology advisors to potentially provide a wet woodland in the same area. It is not clear whether this will be pursued as part of the development but it is also likely that, if it is, it would be provided in the same area as the de-culverted water course, and it would appear to have some alignment with it.

Legal Agreement

- 8.104 The application is not part of an outline or hybrid application and whilst it is linked to the Causeway car park closure and the redevelopment of Old River Lane, these properties are outside the redline boundary. Therefore should planning permission be granted then it is likely that there will be conditions and/or S106 that affect land outside the boundary of the site. This is considered acceptable as the land is in the ownership of the applicant and/or signatories to the S106 agreement.

9.0 Planning Balance and Conclusion

- 9.1 The proposal seeks to enable a wider scheme to develop and intensify the use of land for uses which are intended to support the viability and vitality of the town centre. There are significant, social and economic benefits of this proposal enabling the redevelopment of the Older River Lane site to come forward. These benefits are given very substantial positive weight.
- 9.2 In relation to the youth service operation, currently taking place on the northern part of the site, there is considered to be some harmful impact. The space used for outdoor activities is largely removed. In its place, a facility that can be used more intensively (the MUGA) is provided. There are some questions remaining over the adequacy of that provision and the more active management of it and the link to it, that the youth service will need to undertake. Overall, the harmful impact in relation to youth service operation is considered to be limited.
- 9.3 More significant, are the impact of the proposals on the amenity of adjacent residential occupiers. It is recognised that these impacts can be moderated by conditions and some of these impacts are currently unresolved such as the recommended acoustic treatment of the MUGA. As set out in the report, it is the view that the abruptness of the change leads to the concerns expressed by residents. There are residential environments that provide acceptable amenity for occupiers and which are co-located with car parking uses. However, given the impact of vehicle movement, the potential for more intensive youth service activity and the access arrangements to the MUGA, the harmful impact in this respect is of significance.
- 9.4 With regard to other matters set out in the report, the proposals are considered to have an impact to which weight is assigned neutrally. As a result, it is concluded that the substantial positive weight that can be assigned to the social and economic benefits of the proposals is greater than the weight that can be assigned to its harmful impacts.

- 9.5 Before finally concluding, it is necessary to return to the matter of the impact of the proposals in relation to the green belt. It was determined that the part of the proposed development which is located in the green belt comprises inappropriate development. Inappropriate development is, by its nature, harmful and substantial weight has to be given to this harm.
- 9.6 It is then necessary to consider whether harm to the green belt and any other harm, is clearly outweighed by other considerations. In this case, the other harm identified has been set out above, and is that which relates to the impact on residential amenity and the impact on the youth services operation. In conclusion it is considered that the benefits of these proposals do clearly outweigh the harm to the green belt by reason of inappropriate, and other harm. As a result, very special circumstances exist and planning permission can be granted.
- 9.7 It is recommended that planning permission be granted subject to the conclusion of a legal agreement and the conditions set out below.

RECOMMENDATION

That planning permission be **GRANTED** subject to the conditions set out below and the satisfactory conclusion of a legal agreement to secure the following:

Legal Agreement

- £500 per additional car parking space to be used for the support of sustainable transport measures.
- £5000 for the residential element towards sustainable transport measures.
- Primary Education towards the expansion of St Joseph's RC Primary School by 0.5FE to 2FE - £5,263

- Secondary Education towards the expansion of Herts and Essex High School by 20 places to 6FE - £2,441
- Library Service towards the enhancement of Bishops Stortford Library to support improvements to the layout of the IT suite, newspaper and periodical area - £1,290
- Parks and Public Gardens - £3,338
- Outdoor sports facilities - £9,246
- Amenity green spaces - £1,422
- Provision for children and young people - £1,366
- Creation of wet woodland to be explored in conjunction with the de-culverting of Old River Stort as set out in the Flood Risk Assessment

Conditions

1. Time limit for implementation
2. Approved Plan numbers

Pre-Commencement conditions

Archaeology

3. No development shall take place within the proposed development site until the applicant, or their agents, or their 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 to the planning authority and approved in writing. This condition will only be considered to be discharged when the planning authority has received and approved an archaeological report of all the required archaeological works, and if appropriate, a commitment to publication has been made. The

development shall be carried out in accordance with the details approved.

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.

Contamination

4. 2E33 No development approved by this permission shall take place until a Phase 2 investigation report, as recommended by the previously submitted Socotec Uk Ltd Phase 1 Desk Study report dated February 2018 (Ref: H8019-18), has been submitted to and approved in writing by the Local Planning Authority. Where found to be necessary by the phase 2 report a remediation strategy to deal with the risks associated with contamination of the site shall also be submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall include an options appraisal giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency action.

Reason: To minimise and prevent pollution of the land and the water environment and in accordance with national planning policy guidance set out in section 11 of the National Planning Policy Framework.

Waste Management

- 5 2E32 Before the development hereby permitted is commenced, details shall be submitted to and approved in writing by the Local Planning Authority of the measures to be taken in the design, construction decommissioning and demolition of the development to; re-use existing materials within the new development ; recycle waste materials for use on site and off; minimise the amount of waste generated; minimise the pollution potential of unavoidable waste; treat and dispose of the remaining waste in an environmentally acceptable manner; and to utilise secondary aggregates and construction and other materials with a recycled

content. The measures shall be implemented in accordance with the approved details.

Reason: To accord with Hertfordshire Waste Core Strategy and Development Management Policies DPD 2012.

Noise Attenuation – car park

- 6 No development shall take place until a scheme for protecting nearby noise sensitive receptors from noise arising from the car park use hereby permitted has been submitted to and approved in writing by the Local Planning Authority. The scheme shall follow the recommendations identified in the Adnitt Acoustics Report Ref 2009/EBF/R1-C dated 29th May 2018. The use hereby permitted shall not commence until the scheme has been implemented in accordance with the approved details, and shown to be effective, and it shall be retained in accordance with those details thereafter.

Reason: In order to ensure an adequate level of amenity for residents of the new dwellings in accordance with policies ENV1 and ENV25 of the East Herts Local Plan Second Review April 2007.

Noise Attenuation - MUGA

- 7 No development shall take place until a scheme for protecting nearby noise sensitive receptors from noise arising from the Multi-Use Games Area (MUGA), access walkway and surface level car park has been submitted to and approved in writing by the Local Planning Authority. The scheme shall follow the recommendations identified in the Adnitt Acoustics Report Ref 2009/EBF/R1-C dated 29th May 2018. The use shall not commence until the scheme has been implemented in accordance with the approved details, and shown to be effective, and it shall be retained in accordance with those details thereafter.

Reason: In order to ensure an adequate level of amenity for residents of the new dwellings in accordance with policies ENV1 and ENV25 of the East Herts Local Plan Second Review April 2007.

Construction Management Plan – pollution control

- 8 Prior to the commencement of the development, a detailed construction management plan shall be submitted to and approved in writing by the Local Planning Authority, and the plan shall include the following:
- a) The construction programme and phasing
 - b) Hours of operation, delivery and storage of materials
 - c) Details of any highway works necessary to enable construction to take place
 - d) Parking and loading arrangements
 - e) Details of hoarding
 - f) Management of traffic to reduce congestion
 - g) Control of dust and dirt on the public highway
 - h) Details of consultation and complaint management with local businesses and neighbours
 - i) Waste management proposals
 - j) Mechanisms to deal with environmental impacts such as noise, air quality (including dust), light and odour.

Reason: In order to ensure an adequate level of amenity for residents in accordance with policies ENV1 and ENV25 of the East Herts Local Plan Second Review April 2007.

Landscape and Ecological Management Plan (LEMP)

- 9 No development shall take place until a Landscape and Ecological Management Plan (LEMP) addressing mitigation, compensation and enhancement has been submitted to and approved in writing by the local planning authority. The LEMP shall include the following:
- a) Description and evaluation of features to be managed;
 - b) Ecological constraints on site that might influence management;
 - c) Aims and objectives of management;
 - d) Appropriate management options for achieving aims and objectives;
 - e) Prescriptions for management actions;
 - f) Preparation of a work schedule to undertake the works and provide appropriate long term maintenance (at least 5 years);
 - g) Extent and location/area of proposed works on appropriate scale maps and plans;

h) Details of the body or organisation responsible for implementation of the plan;

i) Ongoing monitoring and remedial measures.

The LEMP shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter."

Reason: In order to ensure that the development enhances the ecological value of the site and adjoining area in accordance with policies ENV15, ENV16 and ENV17 of the East Herts Local Plan Second Review April 2007.

Air Quality

- 10 No development shall take place until a scheme for mitigating the impacts of the development on local Air Quality has been submitted to and approved in writing by the local planning authority. The scheme shall follow the recommendations identified in the Phlorum Air Quality Assessment report (Ref: 7801A AQ draft v1) dated February 2018. The scheme shall include a timetable for implementation of the approved mitigation measures and it shall be retained in accordance with those details thereafter.

Reason: In order to ensure an adequate level of amenity for residents of the new dwellings in accordance with policies ENV1 and ENV25 of the East Herts Local Plan Second Review April 2007.

SUDS

- 11 No development shall take place until the final design of the drainage scheme has been submitted to, and approved in writing by, the local planning authority. The surface water drainage system will be based on the submitted the Flood Risk Assessment carried out by EAS reference 1524 dated February 2018 and the Drainage Strategy and SuDS Statement carried out by Elliot Wood reference 2170573 Rev P2 dated February 2018.

The scheme shall also include;

1. Detailed engineered drawings of the proposed SuDS features including their, location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all

corresponding calculations/modelling to ensure the scheme caters for all rainfall events up to and including the 1 in 100 year + 40% allowance climate change event. The plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.

2. Final design of the attenuation tank should incorporate silt traps and appropriate pollution prevention methods.
3. Details regarding any areas of informal flooding (events those exceeding 1 in 30 year rainfall event), this should be shown on a plan with estimated extents and depths.
4. Details of final exceedance routes, including those for an event which exceeds to 1:100 + cc rainfall event based on details proposals for the opening and diversion of the Main River. The development shall be carried out in accordance with the details approved.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants.

External Lighting

- 12 2E27 Details of any external lighting proposed in connection with the development shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development, and no external lighting shall be provided without such written consent. The development shall then be carried out in accordance with the approved details.

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

No lighting for MUGA

- 13 Notwithstanding condition No. 12, no lighting is permitted on the Multi-use Games Area.

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

Management plan for MUGA and grassland

- 14 No development shall take place until details have been submitted to and approved in writing by the local planning authority on controlling the access of the MUGA out of hours and the surrounding grassland at any time. The details shall include how the area will be secured from the surface car park but accessible for ball retrieval and maintenance during opening hours. The development shall be carried out in accordance with the details agreed.

Reason: To safeguard the amenity of residents of nearby properties, in accordance with policies ENV1 and ENV24 of the East Herts Local Plan Second Review April 2007.

Secured by Design

- 15 Prior to development commencing on site details shall be submitted in writing of how the development will be Secured by Design principles.

Reason: To ensure the car park and residential developments have been designed to reduce the opportunity of crime in accordance with Policy ENV3 of East Herts Local Plan Second Review April 2007 and emerging East Herts District Plan DES4.

Details of deculverting

- 16 An acceptable detailed design is required prior to deculverting of the Old River Stort. The detailed design shall be agreed in writing with the Local Planning Authority prior to the commencement of works. Deculverting 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 on site and elsewhere by ensuring that an acceptable open-channel diversion of the Old River Stort is provided. In addition to increase the biodiversity of the site by daylighting a main river and priority habitat creation.

- 17 All existing trees and hedges shall be retained, unless shown on the approved drawings as being removed. All trees and hedges on and immediately adjoining the site shall be protected from damage as a result of works on the site, to the satisfaction of the Local Planning Authority in accordance with BS5837: 2012 Trees in relation to design, demolition and construction, for the duration of the works on site and until at least five years following contractual practical completion of the approved development. In the event that trees or hedging become damaged or otherwise defective during such period, the Local Planning Authority shall be notified as soon as reasonably practicable and remedial action agreed and implemented. In the event that any tree or hedging dies or is removed without the prior consent of the Local Planning Authority, it shall be replaced as soon as is reasonably practicable and, in any case, by not later than the end of the first available planting season, with trees of such size, species and in such number and positions as may be agreed with the Authority.

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.

Landscape details

- 18 All existing trees, shrubs, natural and historic features not scheduled for removal, shall be fully safeguarded during the course of the site works and building operations. No work shall commence on site until all trees, shrubs or features to be protected are fenced along a line to be agreed with the Local Planning Authority with 2.3 metre minimum height metal fencing (i.e. weld mesh) to BS5837: 2012 Trees in relation to design, demolition and construction securely mounted into the ground. Such fencing shall be maintained during the course of the works on site. No unauthorised access or placement of goods, fuels or chemicals, soil or other materials shall

take place inside the fenced area. In the event that any tree dies or is removed without the prior consent of the Local Planning Authority, it shall be replaced as soon as is reasonably practicable and, in any case, by not later than the end of the first available planting season, with trees of such size, species and in such number and positions as may be agreed with the Authority.

Reason: To ensure that trees, shrubs and other natural features to be retained are adequately protected from damage to health and stability throughout the construction period in the interests of amenity, in accordance with policy ENV2 and ENV11 of the East Herts Local Plan Second Review April 2007.

On-site parking details

- 19 No development shall commence until additional layout plans, drawn to an appropriate scale, have been submitted to and approved in writing by the Local Planning Authority, which clearly demonstrate that all on-site parking spaces can be accessed by a vehicle, and that on-site turning space is sufficient to enable all servicing vehicles to enter and exit the site in forward gear. The development shall be carried out in accordance with the details agreed and such spaces shall be retained at all times for use in connection with the development hereby permitted.

Reason: To ensure no significant increase to roadside parking levels and to ensure that vehicles entering and exiting the site do not adversely affect the free and safe flow of traffic on the public highway.

Finished surfaces of parking

- 20 Details of the finished surface of the parking areas shall be submitted to, and approved in writing by the Local Planning Authority before the development commences and such surfaces shall be completed to the Authority's satisfaction before any part of the development is first brought in to use.

Reason: In the interest of amenity, safety and long-term maintenance.

Construction Traffic Management Plan

21 No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Management Plan shall include details of:

- a. Construction vehicle numbers, type, routing;
- b. Traffic management requirements;
- c. Construction and storage compounds (including areas designated for car parking);
- d. Siting and details of wheel washing facilities;
- e. Cleaning of site entrances, site tracks and the adjacent public highway;
- f. Timing of construction activities to avoid school pick-up/drop-off times;
- g. Provision of sufficient on-site parking (including for existing properties and on-site activities), prior to commencement of construction activities;
- h. Post construction restoration/reinstatement of the working areas.

Reason: In order to protect highway safety and the amenity of other users of the public highway and other rights of way.

Hard Surfacing Materials

22 Prior to the commencement of the development hereby permitted all materials to be used for hard surfaced areas within the site including roads, driveways and car parking areas shall be approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

Reason: To ensure that the development does not detract from the appearance of the locality, and in accordance with policy ENV1 of the East Herts Local Plan Second Review April 2007.

Samples of materials

- 23 Prior to any building works being commenced samples of the external materials of construction for the building hereby permitted shall be submitted to and approved in writing by the Local Planning Authority and the development shall thereafter be implemented in accordance with the approved materials.

Reason: In the interests of the appearance of the development, and in accordance with policy ENV1 of the East Herts Local Plan Second Review April 2007.

Landscape design proposals

- 24 Prior to the commencement of the development, full details of both hard and soft landscape proposals shall be submitted to and approved in writing by the Local Planning Authority. These details shall include, as appropriate: (a) Proposed finished levels or contours (b) Means of enclosure (c) Car parking layouts (d) Other vehicle and pedestrian access and circulation areas (e) Hard surfacing materials (f) Minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting) (g) Proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines, etc. indicating lines, manholes, supports, etc.) (h) Retained historic landscape features and proposals for restoration, where relevant (i) Planting plans (j) Written specifications (including cultivation and other operations associated with plant and grass establishment) (k) Schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate (l) Implementation timetables. Thereafter the development shall proceed in accordance with the approved details.

Reason: To ensure the provision of amenity afforded by appropriate landscape design, in accordance with policies ENV1, ENV2 and ENV11 of the East Herts Local Plan Second Review April 2007.

- 25 Prior to commencement of development, details of the method of piling for the construction works, including a method statement and noise emissions, shall be submitted to and approved in writing by the Local Planning Authority. All piling works shall be carried out in accordance with the agreed details.

Reason: In the interests of the amenities of residents of neighbouring properties and in accordance with policies ENV1 and ENV24 of the East Herts Local Plan Second Review April 2007.

Pre-occupation/use conditions

Boundary treatment

- 26 Prior to the first occupation of any dwellings hereby approved, details of all boundary walls, fences or other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority and thereafter shall be erected and retained in accordance with the approved details.

Reason: In the interests of privacy and good design, in accordance with policy ENV1 of the East Herts Local Plan Second Review April 2007.

SuDS management and maintenance plan

- 27 Upon completion of the drainage works a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development. The scheme shall include maintenance and operational activities; arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants.

Vehicular access

- 28 Prior to the first occupation / use of the development hereby permitted, the vehicular access(es) shall be provided and thereafter retained at the position(s) shown on the approved plan drawing number (03010 8D ASL Rev D). Arrangement shall be made for surface water drainage to be intercepted and outfall discharged so that it does not discharge from or onto the highway.

Reason: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway.

Access gates, barriers

- 29 Prior to the first occupation/use of the development hereby permitted any access gate(s), barriers, bollard, chain or other means of obstruction shall be hung to open inwards, set back, and thereafter retained a minimum distance of 6 metres from the back of the footway.

Reason: To enable vehicles to safely draw off the highway before the gate(s) or obstruction is opened.

- 30 Prior to first use of the multi-storey car park, The Causeway car park shall be closed.

Reason: In the interests of the free flow of traffic through the highway network.

Car Parking Management Plan

- 31 Prior to first occupation/use of the development, a Car Parking Management Plan shall be submitted to and approved in writing by the local planning authority. It shall include the following:

- i. Details of car parking allocation and distribution;
- ii. Operational details, and integration with other East Herts managed car parks within Bishop's Stortford;
- iii. Scheme for signing car park and any real time capacity information system;

- iv. A scheme for the provision and parking of cycles;
- v. Provision for a minimum of 20 Electric Vehicle charging points; and
- vi. Monitoring required of the Car Management Plan to be submitted to and approved in writing in accordance with a timeframe to be agreed by the Local Planning Authority.

The Car Parking Management Plan shall be fully implemented before the development is first occupied or brought into use, in accordance with a timeframe agreed by the Local Planning Authority, and thereafter retained for this purpose.

Reason: In the interests of highway safety and to ensure sufficient available on-site car parking and the provision of adequate cycle parking that meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport.

- 32 Prior to the first occupation of any dwellings hereby approved, details of all boundary walls, fences or other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority and thereafter shall be erected and retained in accordance with the approved details.

Reason: In the interests of privacy and good design, in accordance with policy ENV1 of the East Herts Local Plan Second Review April 2007.

- 33 Communal television reception facilities shall be provided prior to first occupation of the development hereby permitted, in accordance with details to be submitted to and approved in writing by the Local Planning Authority, and no other external television reception facilities shall be provided.

Reason: To prevent the proliferation of telecommunication facilities in the interests of visual amenity.

Prescriptive conditions

FRA mitigation measures

- 34 The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment carried out by EAS reference 1524 dated February 2018 and the Drainage Strategy and SuDS Statement carried out by Elliot Wood reference 2170573 Rev P2 dated February 2018 and the following mitigation measures:
1. Undertaking appropriate drainage strategy for multi-storey car park based on attenuation and discharge into the Old River Stort restricted at 5l/s.
 2. Undertaking appropriate drainage strategy for northern car park drainage system and MUGA based on attenuation and discharge into the Old River Stort restricted at 2.5l/s.
 3. Undertaking appropriate drainage strategy for the four storey building on attenuation and discharge into Thames Surface water sewer restricted at 2.5l/s.
 4. Providing attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + 40% climate change event.
 5. Implementing drainage strategy as indicated on the drawing titles Proposed Below Ground Drainage Layout drawing no. 1000 Rev 2 including attenuation tank and permeable parking bays.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants.

- 35 All external plant, machinery and equipment installed or operated in connection with this permission shall be so enclosed, operated and/or attenuated that noise arising from such plant shall not exceed a level of 5dBA below the existing background level (or 10dBA below if there is a tonal quality) when measured or calculated according to BS4142:2014, at the boundary of any neighbouring residential dwelling.

Reason: To safeguard the amenities of residents of nearby properties, in accordance with policies ENV1 and ENV24 of the East Herts Local Plan Second Review April 2007.

Hours of use of MUGA

- 36 The MUGA shall not be used between the hours of 19:00 and 09:00 on any day and the 1.5m wide access route, shown on Drawing No. 17144_07_100 Rev P2, shall be secured and remain closed between 19:15 and 08:45 on any day.

Reason: In order to ensure an adequate level of amenity for residents in accordance with policies ENV1 and ENV25 of the East Herts Local Plan Second Review April 2007.

- 37 The permitted use of the commercial unit shall be limited to A1, A2 or B1 uses.

Reason: Other uses may create an impact on the amenity of the residential units above and therefore will require express planning permission.

- 38 The commercial unit shall be completed and ready for occupation with the glazed shopfront installed prior to the first occupation of the residential units.

Reason: To ensure that the commercial unit is ready for occupation.

Construction hours

- 39 In connection with all site demolition, site preparation and construction works, no plant or machinery shall be operated on the premises before 0730hrs on Monday to Saturday, nor after 1830hrs on weekdays and 1300hrs on Saturdays, nor at any time on Sundays or bank holidays.

Reason: To safeguard the amenity of residents of nearby properties, in accordance with policies ENV1 and ENV24 of the East Herts Local Plan Second Review April 2007.

- Hours of the car park
- 40 The use of the public car park shall be restricted to between 0700 and 2300 on any given day.

Reason: In the interests of the amenities of the occupants of nearby properties and in accordance with policies ENV1 and ENV25 of the East Herts Local Plan Second Review April 2007.

Informatics

- 1 Under the terms of the Environmental Permitting Regulations a Flood Risk Activity Permit is required from the Environment Agency for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of the River Stort and the Old River Stort Culvert, both of which are designated as 'main river'. Details of lower risk activities that may be Excluded or Exempt from the Permitting Regulations can be found on the gov.uk website. Please contact us at PSO-Thames@environment-agency.gov.uk.
- 2 The applicant is advised that any unsuspected contamination that becomes evident during the development of the site shall be brought to the attention of the Local Planning Authority and appropriate mitigation measures agreed.
- 3 The removal or severe pruning of trees and shrubs should be avoided during the bird breeding season (March to August inclusive [Natural England]) to protect breeding birds, their nests, eggs and young. If this is not practicable, a search of the area should be made no more than 3 days in advance of vegetation clearance and if active nests are found, works should stop until the birds have left the nest.
- 4 To avoid killing or injuring of hedgehogs it is best practice for any brash piles to be cleared by hand. Any trenches on site should also be covered at night or have ramps to prevent and avoid hedgehogs being trapped during construction. It is also possible to provide enhancements for hedgehogs by making small holes within any boundary fencing. This allows foraging hedgehogs to be able to pass freely throughout a site.

- 5 Any external lighting scheme should be designed to minimise light spill, in particular directing light away from the boundary vegetation to ensure dark corridors remain for use by wildlife as well as directing lighting away from potential roost / nesting sites.
- 6 In the event of bats, otters, or water voles, or evidence of them, being found work must stop immediately and advice taken on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England: 0300 060 3900.
- 7 Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website:
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>
- 8 Obstruction of public highway: It is an offence under Section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a public right of way. If this development is likely to result in the public highway and public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

- 9 Road Deposits: It is an offence under Section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other detritus on the highway. Further information is available via the website:
- <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>
- 10 The applicant is advised that in order to comply with Conditions of this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the associated off-site highway improvements. Further information is available via the website: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

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 is that permission should be granted.

KEY DATA

Residential Development

Residential density	13 units/Ha	
	Bed spaces	Number of units
Number of existing units demolished		
Number of new flat units	1	10
	2	5
	3	0
Number of new house units	1	0
	2	0
	3	0
	4+	0
Total		15

Affordable Housing

Number of units	Percentage
3	20

Non-Residential Development

Use Type	Floorspace (sqm)
A1, A2, B1	358

Residential Vehicle Parking Provision

Current Parking Policy Maximum Standards (EHDC 2007 Local Plan)

Parking Zone	3	
Residential unit size (bed spaces)	Spaces per unit	Spaces required
1	1.25	12.5

2	1.50	7.5
3	2.25	
4+	3.00	
Total required		20
Proposed provision		9

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

Parking Zone	3	
Residential unit size (bed spaces)	Spaces per unit	Spaces required
1	1.50	15
2	2.00	10
3	2.50	
4+	3.00	
Total required		25
Accessibility reduction	For zone 3	50% - 100%
Resulting requirement		13 - 0 spaces
Proposed provision		9 spaces

Neighbourhood Plan Parking Standards

Parking Zone	3	
Residential unit size (bed spaces)	Spaces per unit	Spaces required
1	1.25	12.5
2	1.50	7.5
3	2.25	
4+	3.00	
Total required		20

Non-Residential Vehicle Parking Provision

Use type	Standard	Spaces required
Total required	1 per 25m ²	14
Accessibility reduction		
Resulting requirement		
Proposed provision		No new provision - adjacent to new car park

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%	20%	Following Viability assessment
Parks and Public Gardens	£3,338	£3,338	As per requirement
Outdoor Sports facilities	£9,246	£9,246	As per requirement
Amenity Green Space	£1,422	£1,422	As per requirement
Provision for children and young people	£1,366	£1,366	As per requirement
Maintenance contribution -	£7,368	nil	As no new space being

Parks and public gardens			provided for which maintenance required
Maintenance contribution - Outdoor Sports facilities	£23,213	nil	As no new space being provided for which maintenance required
Maintenance contribution - Amenity Green Space	£4,000	nil	As no new space being provided for which maintenance required
Maintenance contribution - Provision for children and young people	£2,620	nil	As no new space being provided for which maintenance required
Community Centres and Village Halls	£2,465	nil	As direct funding will be provided as part of Old River Lane redevelopment proposals