

DEVELOPMENT MANAGEMENT COMMITTEE – 15 JULY 2020

Application Number	3/19/2626/FUL
Proposal	Mixed use Western Neighbourhood Local Centre comprising a doctor's surgery (Class D1), children's nursery (Class D1), 78-bed care home (Class C2), 29 affordable apartments (Class C3) and flexible commercial floorspace within class A1 / A2 / A3 / A4 / D1 / D2. Proposal includes the provision of a substation, car parking, access, landscaping and other associated works.
Applicant	Frontier Estates Ltd
Location	Land at Stortford Fields, Bishop's Stortford North, Bishop's Stortford
Parish	Bishop's Stortford
Ward	Bishop's Stortford Silverleys

Date of Registration of Application	15 th January 2020
Target Determination Date	31 July 2020 (ETA)
Reason for Committee Report	Major Application
Case Officers	Stephen Tapper / Lucy Pateman

RECOMMENDATION

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

That delegated authority is given to the Head of Planning and Building Control to finalise conditions, the legal agreement and to append any informatives to the applicant that may be required.

1.0 Summary of Proposal and Main Issues

1.1 The proposal is for a mixed use local centre within the Western Neighbourhood of Stortford Fields, Bishop's Stortford North, comprising a doctor's surgery (Use Class D1), children's nursey (Class D1), 78-bed care home (Class C2), 29 affordable apartments

(Class C3), flexible commercial floor space within Classes A1/A2/A3/A4/D1/D2 and the provision of a substation, car parking, access, landscaping and other associated works.

- 1.2 The main issues are whether the proposal comprises policy compliant land uses that will create a vibrant local centre providing relevant services to the community at Stortford Fields; and whether the proposal is policy compliant in respect of urban design and architecture, neighbour amenity, sustainable transport and climate change.

2.0 Site Description

- 2.1 Stortford Fields is a site of 130 hectares located within the wider Bishop's Stortford North (BSN) urban extension. The original hybrid permission 3/13/0804/OP granted on 02 April 2015 included outline planning permission for two mixed use local centres, one in the Western Neighbourhood and the other in the Eastern Neighbourhood. Condition 2 of the permission required that the reserved matters of the Western Neighbourhood Centre be submitted within 3 years of the date of the permission. A full planning application has therefore been submitted as the original outline permission for the neighbourhood centre has expired. Notwithstanding this, the original permission is a material consideration when assessing the proposed development, as is a Draft Design Principles document for the Centre.
- 2.2 The application site lies within what is referred to as the Western Neighbourhood. Once built out, the Western neighbourhood will comprise 968 dwellings, 857 under the original hybrid permission (3/13/0804/OP) and a further 111 redistributed from the Eastern to the Western neighbourhood under a variation of condition consent (3/18/1898/VAR). Together with the Eastern Neighbourhood, which currently has outline planning permission only, Stortford Fields will provide 2,200 dwellings. It is intended that the Western Neighbourhood Centre will provide for some of the everyday needs of the residents of Stortford Fields as well as the wider Bishop's Stortford community.

2.3 The site is approximately 1.5 hectares in area and the immediately surrounding area comprises a 2FE Primary School on Newland Avenue and residential dwellings on Rainbird Road to the north; more residential dwellings on the eastern boundary of the site; open fields and a water tower to the south; and the bridleway to Wickham Hall on the western boundary.

3.0 **Planning History**

The following planning history is of relevance to this proposal:

Application Number	Proposal	Decision	Date
3/13/0804/OP	Outline application for the construction of up to 2,200 dwellings. (See complete description below).*	Approved subject to conditions and a Section 106 agreement	02 April 2015

* The erection of up to 2,200 dwellings inclusive of affordable housing, green infrastructure, amenity and formal and informal recreation space; landscaping; development of 2 mixed use local centres on 4.1 hectares of land providing up to 21,000 sq.m (gross) commercial floorspace (Use Class B1 a, b and c) inclusive of (if required) a maximum of 3,000 sq.m (gross) for a healthcare facility (Use Class D1) together with retail floorspace (Use Classes A1; A2; A3; A4 and A5), up to a maximum of 1,200 sq.m (gross), residential development (Use Class C3) and the potential for other community/cultural/leisure (Use Class D1 and D2) if required (floorspace to be agreed); the potential for additional 0.5 hectares of land for up to 4,000 sq m (gross) commercial floorspace (Use Class B1 a; b and c) if required or for residential purposes (Use Class C3) if not; a primary school and associated facilities on 1.25 hectares of land; a further primary school on 2 hectares of land with the potential to extend by 1.08 hectares if required or for the expansion

land to be used for residential purposes if not; 4 new junctions (A120; Hadham Road; Rye Street and Farnham Road); estate roads and public transport route; footpaths/cycleways; site profiling/earthworks; a noise bund with barrier; a sustainable drainage system; utilities services including foul water pumping stations; 2 residential garden extensions and the demolition of 221 Rye Street and 164 and 166 Hadham Road.

4.0 **Main Policy Issues**

4.1 These relate to the relevant policies in the National Planning Policy Framework 2019 (NPPF), the adopted East Herts District Plan 2018 (DP) and the Bishop's Stortford Silverleys and Meads Neighbourhood Plan 2015 (NP).

Main Issue	DP policy	NPPF	NP policy
Principle of a mixed use local centre and policy compliance of land uses	DPS1, DPS2, BISH1, BISH3, BISH11, BISH12, ED1, RTC5, CFLR1, CFLR7, CFLR10	Chapter 2	BP2, BP3, HDP7, HP1
Delivery of Housing	HOU1, HOU2, HOU3, HOU6, HOU7	Chapter 5	HDP1, HD4, HPD5, HDP6
Quality of design and landscaping	DES2, DES3, DES4, DES5	Chapter 12	HDP2, HDP3
Impacts on neighbour amenity and occupiers	DES4, EQ2, EQ3, EQ4	Chapter 12	
Highway, parking and transport impacts	TRA1, TRA2, TRA3	Chapter 9	TP1, TP2, TP3, TP4, TP7, TP8
Flood risk and drainage, Climate Change	WAT1, WAT3, WAT4, WAT5, WAT6, CC1, CC2	Chapter 14	

Other relevant issues are referred to below in section 8.0
Consideration of Issues.

5.0 Summary of Consultee Responses

- 5.1 HCC Highway Authority does not wish to restrict the grant of planning permission, although recommends the inclusion of conditions relating to the site accesses, internal layout, travel plans, car parking management and maintenance as well as Advisory Notes in order to ensure compliance with the provisions of the Highways Act. They have also requested financial contributions towards their costs incurred in travel plan monitoring. The Highway Authority is content that the detailed land use mix of the neighbourhood centre may be satisfactorily accommodated on the adjoining local highway network.
- 5.2 EHDC Housing Strategy Officer Following discussion with the applicants regarding the size of some of the flats proposed and occupancy levels, revised proposals have been submitted, which are satisfactory. In a mixed tenure site the Council would normally seek a higher ratio of affordable rented properties to shared ownership but given the high proportion of flats for affordable rent on the development as a whole, in this instance the proposed tenure mix is acceptable.
- 5.3 Thames Water advises that if the developer follows the sequential approach to the disposal of surface water there would be no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. With regard to foul water, based on the information provided Thames Water has no objection.
- 5.4 Affinity Water states that the proposed development site is located near an Environment Agency defined groundwater Source Protection Zone 2 (SPZ 2) corresponding to Causeway and Sawbridgeworth Pumping Stations. This is a public water supply, comprising a number of chalk abstraction boreholes, operated by

Affinity Water Ltd and they consider conditions may be required to protect the source. However, the development drains into the main Stortford Fields development, which includes the necessary filtration and monitoring.

- 5.5 The Lead Local Flood Authority was concerned about the absence of above ground SuDS features such as swales and rain gardens and the reliance on below ground geocellular storage tanks, discharging to the local surface water drainage network and then to the ordinary watercourse at Hoggate's Wood. They required strong justification for the approach, and considered there should be more opportunities available for the use of permeable paving within the car park and access roads. A revised approach was required supported by revised calculations. They also required evidence as to how an existing ditch to the east of the site would be protected from run-off in terms of quantity and quality since it is part of the drainage system for the wider site. Following the receipt of revised proposals for permeable surfacing, supported by additional information and calculations, the LLFA has withdrawn its objection and recommends a number of conditions [to follow].
- 5.6 EHDC Conservation and Urban Design Advisor The appearance of the proposed development has been the subject of particular consideration with the Council's advice to the applicants being assisted by Essex Place Services Urban Design team, who, along with the Council's Conservation and Design Advisor, suggested measures which could be taken to improve the quality of the development. The EHDC Conservation and Urban Design Advisor has commented that the revised scheme has addressed many previous concerns. In particular the usability of the public open space has been improved, as has pedestrian permeability through the site and there is a confidence that the scheme will be successful in urban design terms. There are therefore no objections, subject to conditions.
- 5.7 HCC Historic Environment Unit has no comment to make on the application as the development site has been subject to archaeological investigation as part of the programme of

archaeological works in the Western Neighbourhood carried out between 2012 and 2015. The proposed development is therefore unlikely to have a significant impact on heritage assets of archaeological interest.

- 5.8 EHDC Landscape Advisor Whilst making a number of practical suggestions in respect of existing boundary trees and hedges and specimen trees throughout the site, the advice concludes that the general arrangement of built form appears to be well thought out, with pleasing geometry and simplicity given the shape of the site. The spaces between buildings and the external arrangement of space, including car parks and pedestrian areas, also work well and there is a sense of quality to the design in terms of site planning and layout.
- 5.9 HCC Minerals and Waste raises no objection to the application. The applicant's intention to produce a Site Waste Management Plan (SWMP) is welcomed and the County Council is pleased to see the applicant's statements of waste reduction and the intention to minimise waste sent to landfill. The County would like to encourage the opportunistic use of any deposits within the development, should they be found when creating the foundations/footings
- 5.10 EHDC Environmental Health Advisor raised concerns about the proposed layout, with residential dwellings above other planning use classes, which could give rise to noise nuisance. There are other sources of noise to consider that may adversely affect the residential amenity of existing and future residents, including noise associated with the nursery's outdoor play area and potential kitchen extraction systems from the proposed restaurant and café uses (Use Class A3) and drinking establishments (A4). The applicant has made a number of amendments to the scheme to address the concerns and has emphasised that the ground floor uses below the apartments will be subject to scrutiny regarding any potential adverse environmental impact. The Environmental Health Advisor has recommended the inclusion of a number of conditions to mitigate potential noise, including noise from fixed plant and machinery, external lighting and opening hours.

- 5.11 EHDC Waste Services initially raised concerns in regards to the kerb-to-kerb radius and how the freighter would reach the bins at the care home. Following amendments, the Waste Services Officer considers that the kerb-to-kerb radius has been resolved with new vehicle tracking and the access to the care home has been clarified.

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

6.0 Town/Parish Council Representations

- 6.1 Bishop's Stortford Town Council has no objection to the application, however there are concerns regarding the lack of amenity space for residents and children. Furthermore, it is noted that Housing Strategy Officer has suggested that there should be nine affordable rented dwellings as opposed to the seven proposed.

7.0 Summary of Other Representations

- 7.1 The application was advertised in the press and on site on 23rd January 2020 and a total 155 neighbour consultation letters were distributed over the course of the application process.
- 7.2 During the course of considering the application amendments have been made; the description of development has altered and amended plans and additional documents were submitted following the initial consultation. As a result of these changes a re-consultation has been undertaken with statutory consultees and the occupiers of dwellings surrounding the site.
- 7.3 Two responses have been received objecting to the proposals on the following grounds:
- A rise in anti-social behaviour outside of the proposed commercial ground floor units and an increased level of noise experienced along Rainbird Road

- Lack of electric car charging points

7.4 One response has been received supporting the proposals on the following grounds:

- Support the proposal for the nursery and care home

8.0 Consideration of Issues

Principle of a mixed use local centre

- 8.1 The original permission 3/13/0804/OP granted on 02 April 2015 included full details of the Western Neighbourhood apart from a mixed use local centre, which remained in outline because it was the BSN Consortium's intention to bring in a specialist developer of commercial sites. Condition 2 required full details (reserved matters) of the local centre to be submitted within three years of the date outline permission was granted but that has expired. This application has therefore been submitted as a full planning application.
- 8.2 District Plan Policy BISH1 *Development in Bishop's Stortford* includes provision for "two mixed-use local centres at Bishop's Stortford North providing 4.1ha of land comprising 21,000m² of commercial floor space (B1 a, b and c), up to 3,000m² for D1 uses and up to 1,200m² retail floor space. Further provision of up to 4,000m² of commercial floor space may also be delivered.' Policy BISH3 looks at the separate areas of the Bishop's Stortford site and with regards to land west of Hoggate's Wood, advises that proposals shall include the provision of 'a Neighbourhood Centre providing a range of local shops and services'.
- 8.3 The original planning permission for Stortford Fields included a *Design Code for the Western Neighbourhood Community Hub* (April 2013 and *Addendum* September 2013). It included the 2FE primary school in the Hub and stated that whilst the exact type of uses would be finalised at the detailed planning stage, the application provided land for retail (small scale convenience store, other shops,

cafes and restaurants), employment (offices, start-up and growing businesses), healthcare and “some” residential to encourage activity and surveillance. It said the main design principle for the Hub is to introduce distinct key note buildings of design merit that frame and enclose a market square and the design of the public realm would focus on creating safe and attractive spaces prioritising pedestrians and cyclists.

- 8.4 Seven years on the expectation of the Western Neighbourhood Centre is that priority will be given to sustainable and connected communities and that the Eastern and Western Neighbourhood Centres will be complementary in the range of services and employment opportunities offered. The office and start-up employment space will now be concentrated in one area of the Eastern Neighbourhood Centre, where businesses will benefit from scale, the proximity to one another, and occupying a prominent site adjacent to the A120. Plans for a new health facility have firmed up and it will be in the Western Centre.
- 8.5 Each Centre must offer a range of uses that will contribute to creating a vibrant local hub, which provides for the everyday needs of the community. The current application for the Western Centre therefore includes a Use Class D1 doctor’s surgery; day nursery (D1); 78-bed care home (C2); 29 affordable apartments (C3) with flexible commercial space below for: shops (A1), financial and professional services (A2), cafes and restaurants (A3), drinking establishments (A4), non-residential institutions (D1) and assembly and leisure (D2).

Policy compliance of the land uses

- 8.6 Doctor’s Surgery – The proposed NHS doctor’s surgery would provide a floor space of circa. 1360m² over three storeys. The proposed surgery has been designed to meet NHS requirements and incorporates consulting rooms, a minor operations room, a recovery room, treatment rooms, counsellor rooms and a large patient waiting room. South Street Surgery intends to transfer operations to the proposed surgery from their existing and nearby premises at Bishop’s Park.

- 8.7 District Plan Policy CFLR9 (Health and Wellbeing) requires new health facilities to be located where there is a choice of sustainable travel options and they are accessible to all members of the community. Neighbourhood Plan policy HP1 (Accessible GP Practices) also seeks to improve access to GP services. The location of the surgery is in close proximity to public transport services, including bus stops to the north of the site in connection with the new 311 Stortford Fields to Town Centre service and it is also accessible via pedestrian and cycle routes associated with the wider development.
- 8.8 Nursery – The Nursery would provide 108 spaces for children ranging from babies through to school age. Positioned to the east of the site, the 616.3m² two storey building would provide a more residential scale in response to the adjacent residential development. The intended operator has had an input into the design and layout of the proposed nursery to ensure it meets their operational requirements.
- 8.9 Policy CFLR10 (Education) requires proposals for new education facilities for all ages to be in an accessible location benefitting from a choice of sustainable travel options; to be of the highest design quality; and to provide appropriate outdoor and recreation space. As with the proposed surgery, the nursery will be situated in an accessible location with bus stops, walking and cycle routes in close proximity. A garden area is positioned to the south and east of the building providing opportunities for outdoor play and learning.
- 8.10 Flexible commercial units – At the centre of the site and located along Rainbird Road, a three- and part four-storey block would include on the ground floor uses within classes A1-A4, D1 and D2, as described above. It is situated between the main access to the site off Rainbird Road, to which it would have an active frontage, and the public square, to which it would also have active frontage. These flexible commercial units would include one of 256m² to accommodate a small convenience store and 5 smaller units

ranging from 56m² to 156m². This would provide a gross commercial/community use floor space of circa. 876m². There is a wide range of potential uses including shops, banks, cafés, restaurants, pubs, dry cleaners, pharmacies, gyms, hairdressers, beauty salons, community centres, day centres, libraries and places of worship.

- 8.11 There are no operators currently signed up for any of the commercial units, however this is not unusual before the grant of planning permission. Therefore, the flexible range of uses has been proposed to keep options open and to allow for a range of uses depending on interest from operators and avoid the premises being empty for long periods. For the same reason, it is proposed that the Section 106 agreement includes an obligation on the developer to use reasonable endeavours to allow suitable “meanwhile uses”¹ to occupy the commercial space if there is a delay in securing commercial lettings.
- 8.12 Neighbourhood Plan Policy BP2 (Local Retailing Facilities) requires that retail units within large scale residential development are occupied by an appropriate mix of A1 – A5 uses that do not detract from the retail offer in Bishop’s Stortford town centre. This is also a factor of the size of the units. District Plan Policy CFLR7 (Community Facilities) states that proposals for community use will be supported where they are in suitable locations and served by a choice of sustainable travel options; they must be of an appropriate scale to meet community needs and be of flexible design to accommodate a variety of different uses throughout the day.
- 8.13 The proposed local centre will be served by a number of sustainable travel options as previously mentioned and given the number and range of potential uses it is considered that this would meet the needs of the community as well as encouraging multiple uses

Note ¹ - The term ‘meanwhile use’ refers to the short-term use of temporarily empty buildings such as shops until they can be brought back into commercial use. It takes a potential problem and turns it into an opportunity and helps keep an area vibrant. The landlord will continue to look for a new commercial occupant for the space during the meanwhile use.

throughout the day. The relationship of the commercial units with the public square creates the opportunity for food and drink to be served on the square, encouraging social activity and integration within an attractively landscaped context and providing a link to social activity generated by the proposed primary school opposite the square.

- 8.14 Apartments – 29 affordable apartments are proposed at first, second and third floor level above the commercial units at ground floor level. The apartments will be provided in the form of 8 x 1-bed units and 21 x 2-bed units. The planning permission description of development for Stortford Fields includes residential development in the list of use classes permitted in the local centres, although it is not clear as to whether it would be in addition to the 2,200 dwellings specified in the first line of the description (Section 3.0 above). However, it was suggested in the Design Code for the Western Centre that if residential was included in the mix it would increase activity and provide surveillance. In practice, the applicants missed the window of opportunity to submit reserved matters and have submitted their own freestanding full application, which means the 29 apartments are in addition to the 2,200 in the earlier permission.
- 8.15 District Plan Policy HOU1 (Type and Mix of Housing) seeks to secure an appropriate mix of tenures, types and sizes of dwellings in order to create mixed and balanced communities. Policy HOU3 (Affordable Housing) seeks to secure 40% affordable housing on sites proposing more than 15 dwellings and states that the proposed mix of tenures will need to be determined in accordance with evidence on housing need. Neighbourhood Plan Policies HDP1 and HDP4 are also relevant, making reference to the latest Strategic Housing Market Assessment and requiring the submission of a Dwelling Mix Strategy.
- 8.16 The proposed 29 apartments would be 100% affordable housing and the proposed tenure split is 24% affordable rented and 76% shared ownership. The supporting text to District Plan Policy HOU3 and the East Herts Affordable Housing SPD Consultation Draft state that 84% affordable rented dwellings and 16% intermediate

dwelling are required based on a provision of 40% affordable units. The proposed tenure split is therefore not policy compliant, as noted by the Town Council, which the applicant acknowledges. However, a material consideration is that the proposal would provide 100% affordable housing and a registered provider is already contracted to purchase the apartments.

Tenure	Beds/Persons	Number
Affordable Rent	1B 2P	2
Affordable Rent	2B 3P	4
Affordable Rent	2B 4P	1
Affordable Rent Total: 7 / 24%		
Shared Ownership	1B 2P	6
Shared Ownership	2B 3P	14
Shared Ownership	2B 4P	2
Shared Ownership Total: 22 / 76%		

- 8.17 District Plan Policy HOU7 (Accessible and Adaptable Homes) seeks to ensure that new homes are readily accessible and adaptable to meet the changing needs of occupants and to support independent living. All units are proposed to meet Building Regulations Requirement M4(2): Category 2 – Accessible and Adaptable Dwellings. Furthermore, two dwellings are proposed to meet Building Regulations Requirement M4(3) – Wheelchair User Dwellings.
- 8.18 The Town Council raised concern in regard to the lack of amenity space for residents and children occupying the apartments. It should be noted that 6 of the apartment would have access to modest sized south-facing terraces and the Public Square is located adjacent to the apartment block. Furthermore, Hoggate’s Park, which will have a large play area, is just a short distance away and easily accessible by foot or bike. Occupiers will also be able to easily access the play areas approved as part of the wider Stortford Field’s development and there are informal recreation opportunities in Ash Grove.

- 8.19 Stortford Fields residents will also benefit from the requirement in the existing Section 106 agreement that allotment gardens are laid out on land alongside Dane O'Coys Road. It is intended that they will include space and facilities for community gardening and the developer has been requested to consider making a financial contribution in accordance with the Council's SPD. Similarly, the developer's attention has been drawn to the need to fund new community buildings at Stortford Fields, perhaps to be located at Foxdells Farm.
- 8.20 Care home – The three-storey care home is located in a key position within the local centre and acts as a landmark building at the junction of Newland Avenue (the main thoroughfare through Stortford Fields) and Rainbird Road. It would have a capacity of 78-beds for the elderly and capability for all care needs to be met on site. The building has been designed with a particular care home operator in mind and it is intended that it would be dual registered for both nursing and residential needs. It is anticipated that the proposed care home would create around 70 jobs.
- 8.21 District Plan Policy HOU6 (Specialist Housing for Older and Vulnerable People) states that proposals will be supported if located in a sustainable location and within walking distance to shops and services as well as being well integrated into existing communities. The proposed care home would form part of the wider local centre and would therefore benefit from easy access to shops and services, including the proposed surgery.
- 8.22 A care home was not part of the original permission for the site and it has a significant footprint within the local centre, compromising to some extent the space available for the public square as compared with the layout in the Design Code Addendum. However, there has been an increasing demand for such accommodation in recent years to meet the needs of an ageing population and it is an important contributor to the overall viability of the Local Centre.
- 8.23 Otherwise, the proposal would deliver a Local Centre that provides for a policy-compliant range of everyday needs within the Bishop's

Stortford North community, including a nursery and a doctor's surgery, which is very welcome and will enormously improve the quality of primary care in Bishop's Stortford. The apartments are an important addition to the District's stock of affordable housing. Add to that the as-yet-unknown mix of retail, food and drink and community space and the Centre will very much fulfil planning objectives and expectations for it. In that context, the care home is perfectly acceptable and itself provides for important needs within the wider community. The Committee should therefore give positive weighting to the proposed land uses.

Quality of design and visual appearance

8.24 The NPPF and other Government guidance emphasises the importance of good design in place-making, creating functional places that are well-connected to their surroundings and that encourage sustainable travel. Urban design and architecture must create distinctive places in which to live and work and to visit. They should encourage social interaction and help to build harmony by taking into account the needs of diverse communities. Design and landscaping must take into account climate change and development must enhance biodiversity rather than cause harm. District Plan Policies DES3 and DES4 seek design quality that respects the constraints of a site and integrates landscaping into the design.

8.25 Negotiation with the applicants included:

- a review of the options for siting the various buildings, parking areas and public realm on the site;
- as regards the apartment buildings, the massing, storey heights and overlooking from balconies in proximity to and on the south side of two-storey residential development on Rainbird Road;
- the manner in which the care home addressed the primary frontage;
- the pedestrian/cycling connection to the Wickham Hall bridleway adjacent to the western boundary of the site;

- the quality of the public realm; and
 - management and design of the car park;
- 8.26 The subsequent amendments and revisions, including amendments to the Design and Access Statement that explain better how the final layout was arrived at, have satisfactorily addressed these concerns.
- 8.27 The flat roof form of the buildings provides a strong identity in comparison to the existing, more traditional, residential development at Stortford Fields and, along with the schools, will be a landmark that helps to define the place. The step in height to the central building and the scale of the care home plays on key views of the centre, whilst there is a clear progression down to the nursery building at the eastern end of the site to draw back the height and scale back to be in keeping with the residential development.
- 8.28 The contemporary architectural approach is seen in the choice of a grid structure for the elevations, in the fenestration and in the choice of materials. There is consistency in the architectural language but subtle variety between the buildings. It is a well-balanced approach that provides a visual link between the various buildings in the local centre, which is an achievement in circumstances where the various uses of the buildings are all quite different.
- 8.29 The design and architecture of the care home and both its own private gardens and the surrounding public realm have created a striking gateway, which compensates for the home being a somewhat isolated use in an otherwise active public realm setting.
- 8.30 The public square itself is nicely detailed in terms of its hard and soft landscaping, with care being taken to screen out an otherwise intrusive sub-station. The only disappointment is that a turning head at the junction of Newland Avenue and Rainbird Road randomly eats into the square and reduces the space available to the public. The turning head is currently used by the 311 bus to turn and exit the Western Neighbourhood but in due course the bus will

carry on through to the Eastern Neighbourhood where it can be turned and, ultimately, when all the roads are in place, exit via the Rye Street access. The applicants have submitted a drawing that shows that if the turning head were to be removed when it is redundant and the highway became a simple curve a significant amount of space could be added to the square. Negotiations continue regarding the means of achieving such an improvement in the future.

- 8.31 The car parking layout has been improved and will be the arrival point for many customers, which has led to improvement in the rear elevations of the main buildings, including moving the proposed apartment balconies from the northern street elevation to the southern car park elevation. The car park is enhanced through additional soft landscaping and accessible routes for pedestrians, including the link to the Wickham Hall bridleway.
- 8.32 In summary, the applicants have been willing to collaborate with the Council on design matters and have produced a contemporary design that will create an attractive and highly visible landmark in the Western Neighbourhood. The layout, the architecture and the public realm create a development that is coherent and attractive across the whole of the site, and it should serve a positive social function in the Western Neighbourhood. Positive weight is attributed to the quality of urban design and visual appearance.

Neighbour amenity

- 8.33 District Plan Policy DES4 (Design of Development) requires that significant detrimental impact on the amenity of neighbouring occupiers is avoided, by ensuring their environments are not harmed by noise and disturbance, or by inadequate daylight, privacy and overlooking. Noise and light pollution are also relevant matters and the subject of District Plan Policies EQ2 and EQ3 respectively.
- 8.34 The 29 residential units would be accessed via a central stair/lift core with internal corridors running east to west. Six of the units

would have access to private terraces on the rear elevation. The proposed residential units would be above the ground floor commercial and community uses and the Environmental Health Officer (EHO) raised concern regarding the potential mixes of commercial and residential uses. The applicant has stated that to ensure that residential units above will be protected from noise associated with the ground floor an appropriate separating floor system will be used. Furthermore, opening hours of the units could be conditioned to mitigate adverse impact on new and existing residents, which is recommended by the EHO.

- 8.35 The EHO also raised concerns relating to noise associated with kitchen extraction systems serving potential food and drink premises and the applicant has therefore requested a condition requiring a scheme for noise control measures.
- 8.36 Noise may also be associated with the outdoor play area at the nursery. In that regard, a noise barrier is proposed along the eastern boundary of the site and opening hours could again be conditioned to protect residential amenity.
- 8.37 One objection has been received from a resident of Rainbird Road, stating that the proposed commercial units would result in an increased level of noise on Rainbird Road. It is inevitable that there will be more noise than if the whole of the site were in residential use, but the neighbourhood centre has been identified on the Stortford Fields plans since 2013. It is expected that the recommended conditions will adequately mitigate noise experienced in the homes on Rainbird Road.
- 8.38 The Design and Access Statement for the original hybrid scheme indicated that on the secondary streets, separation distances of 15.5 metres were considered to be acceptable. It is good practice to increase the separation distance by 2m for every additional storey. Rainbird Road is a secondary road and the proposed separation distance is 24 metres on the first and second floors, increasing to 26 metres on the third and fourth floors. Therefore, this exceeds the minimum requirement and ensures that the proposals will not be

detrimental to neighbour amenity in terms of overlooking, overshadowing or overbearing impact.

- 8.39 It is considered that although there will inevitably be some noise emanating from activity at the Centre, including the car park, there will be a satisfactory residential environment for neighbouring properties, including those closest to the site. Overall, the neighbour amenity and noise impacts of the development are considered to be neutral, subject to conditions.

Highway, parking and transport impacts

- 8.40 The proposed Local Centre will benefit from two vehicle access points – the first access point will serve the proposed care home off Newland Avenue and the second access point will serve the proposed local centre off Rainbird Road. Vehicle tracking has been undertaken and demonstrates that both accesses are suitable and appropriate visibility splays of 2.4m x 25m are achievable in both directions. In terms of trip generation, the Highway Authority is satisfied that the proposed uses will not have a material impact over and above what has been agreed as part of the original hybrid permission. The Highway Authority has recommended the inclusion of planning conditions relating to the site accesses, internal layout and car parking management.
- 8.41 The Updated Vehicle Parking Standards suggest that 167 spaces should be provided for the proposed development and as the site lies within Zone 4, a reduction of up to 25% could be applied to recognise any sustainable travel arrangements such as cycleways, bus routes and travel plans. The proposed car parking provision is 163 parking spaces which is only 4 spaces fewer than the standards. It comprises 28 car parking spaces at the care home, including 2 disabled spaces; the main Centre car park would have accommodate 135 spaces, including 16 accessible parking bays assigned to all the facilities, two drop-off/pick-up spaces to serve the nursery and 16 electric vehicle charging points.

- 8.42 Neighbourhood Plan Policy TP7 (Cycle Parking) requires that secure cycle parking be provided at local centres in all new residential and commercial developments. It is proposed that 19 short stay and 39 long stay cycle parking spaces are proposed across the local centre, including bike stands and an internal cycle store for the care home, an internal cycle store for the residential apartments, bike stands for the doctor's surgery, a cycle store for the nursery; and bike stands for the flexible units.
- 8.43 Given the mix of uses that the car park has to provide for, the Highway Authority has requested a condition requiring the submission of a car park management plan, which will take into account the different peak times for the various uses so that spaces can be managed effectively. As previously noted, the County has also requested Section 106 financial contributions towards the cost of monitoring travel plans.
- 8.44 It is considered that the land use mix of the proposed neighbourhood centre could be satisfactorily accommodated on the adjoining local highway network and given the footpath and cycleway connections and proposed bus services offered by the wider development, the parking provision is considered satisfactory taking into account the flexible approach of the Council's Updated Vehicle Parking Standards. The Committee may therefore give neutral weight to the limited highways/transport impacts and the proposed parking provision.

Climate Change, Flood Risk and Drainage

- 8.45 In line with District Plan Policies CC1 and CC2, it is expected that all new development demonstrates how the design, materials, construction and operation of the development will minimise overheating in summer and reduce the need for heating in the winter, while integrating green infrastructure as well as demonstrating how carbon dioxide emissions will be minimised across the development site. The application is supported by a Sustainability Statement.

- 8.46 In terms of energy usage, the proposed development seeks to incorporate high performance fabric, lighting and other building services to minimise energy consumption and to achieve overall betterment of 15.4% beyond the minimum values of Part L of the Building Regulations. Moreover, water efficiency fittings such as water efficient WCs, the use of water meters to enable monitoring and leak detection/water shutoff systems are proposed to be incorporated throughout the development. The Sustainability Statement sets out that 106.5 litres per person per day will be achieved which will therefore better the target of 110 litres per person per day set out in the Building Regulations and District Plan Policy WAT4.
- 8.47 The proposed design of the facades of the buildings would limit solar gain and would be carefully balanced against the need to provide daylighting and avoid artificial lighting. The applicant has stated that U-values would be carefully selected in order to provide a balance of insulation against heat loss as well as to limit the impacts of overheating in buildings. Furthermore, the design of the public realm seeks to maximise green infrastructure around the site providing shading and evaporative cooling benefits to aid in reducing any issues from the urban heat island effect.
- 8.48 Policy WAT1 relates to flooding and is considered to be relevant in the determination of this application. It is noted that the site is located within Flood Zone 1 and is therefore at the lowest risk of flooding. A Flood Risk and Drainage Strategy has been submitted in support of the application. Due to a lack of large open space areas above ground storage is not proposed instead below ground geocellular attenuation is proposed which will discharge to the local surface water drainage network and then to the ordinary watercourse at Hoggate's Wood. The Local Lead Flood Authority considered that there should be more opportunities available for the use of permeable paving within the car park and access roads. Following amendments to the proposal, the LLFA has recommended that the full drainage design be secured by condition.

8.49 The proposed development adopts a fabric first approach, the utilization of energy and water efficiency measures and appropriate SuDS. It is considered that the information provided is sufficient to demonstrate that the proposals are in compliance with District Plan policies relating to climate change and surface water management and drainage. Therefore this carries neutral weight in the consideration of the application.

9.0 Planning Obligations

9.1 Financial contributions are sought in respect of the apartments towards social infrastructure that will benefit the residents. In addition, the County is seeking contributions towards the cost of monitoring the travel plans.

9.2 Non-financial obligations are being negotiated that will secure the affordable housing for the future; will encourage the introduction of meanwhile uses; and will seek the early provision of community space within the development.

9.3 It is considered that these obligations are directly related and proportionate to the nature of, and the social and environmental impacts of, the development and are necessary to make the development acceptable; they will therefore comply with the requirements of the NPPF and CIL Regulations.

10.0 Planning Balance and Conclusion

10.1 The proposal for a mixed use local centre within the Western Neighbourhood complies with local and national planning policy. It is considered that the proposed range of uses will create a vibrant local centre which provides for the everyday needs of the community, with valuable local services such as primary care for a growing and ageing population in an accessible and sustainable location.

10.2 The proposed tenure split of affordable housing is not quite policy compliant, however a material consideration is that the proposal

would provide 100% affordable housing and the 29 affordable apartments will contribute to the District's stock of affordable housing.

- 10.3 The proposed car parking provision is 163 parking spaces which is 4 spaces fewer than the Council's Updated Vehicle Parking Standards. However, this is offset by the sustainable location of the site offering proximity to public transport in the form of the new 311 Stortford Fields-Town Centre service; together with the inclusion of cycle parking facilities and pedestrian and cycle routes through the site, making connection with routes in the wider area.
- 10.4 Climate change adaptation and mitigation has been achieved through the layout and landscaping, SuDS and sustainable construction. The proposed development will achieve overall betterment of Building Regulations and Policy in terms of energy and water usage. The proposed drainage strategy provides for the use of good quality SuDS. Furthermore, the design and layout of the development will enable and encourage pedestrian and cycle access, promoting sustainable modes of transport.
- 10.5 As regards possible adverse impacts on the occupiers of nearby residential property, the layout of the development will help screen the car park and conditions will mitigate a number of other potential sources of disturbance.
- 10.6 Urban design considerations are a priority and the Design Code emphasised the importance of creating a lively community hub in the centre of the Western Neighbourhood with buildings designed to a high standard. Since 2013 there has been more emphasis in national and local policy on the importance of good design in place-making and it is considered that the application before the Committee will fully meet objectives by creating a landmark within the Neighbourhood that will also encourage social interaction and provide for everyday needs.
- 10.7 Overall, on the balance of considerations, the proposals are considered to provide a sustainable form of development in

accordance with planning policy. The application may therefore be viewed positively and granted planning permission subject to a legal agreement and the conditions set out at the end of this report.

RECOMMENDATION

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

Draft Legal Agreement - Heads of Terms

The following obligations have been requested but are not confirmed by the developer as negotiation continues:

1. Apartments restricted to affordable housing (EHDC)
2. Apartments - education financial contribution (HCC)
3. Apartments – library contribution (HCC)
4. Apartments – allotments contribution (EHDC)
5. Apartments – community buildings contribution (EHDC)
6. Ground floor commercial units – meanwhile uses (EHDC)
7. Ground floor commercial units – provision of office and meeting spaces for community based uses (EHDC)
8. Travel plan monitoring financial contribution (HCC)
9. Payment in full of the Councils’ reasonable legal and other professional costs incurred preparing and completing the Legal Agreement (EHDC/HCC)

Draft Conditions

1. The development to which this permission relates shall be begun within a period of three years commencing on the date of this notice.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby approved shall be carried out in accordance with the approved plans listed at the end of this Decision Notice.

Reason: To ensure the development is carried out in accordance with the approved plans, drawings and specifications.

3. No development shall commence until a Construction Traffic 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 Traffic Management Plan shall include details of:

- a. construction vehicle numbers, type, routeing;
- b. access arrangements to the site;
- c. traffic management requirements;
- d. construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
- e. siting and details of wheel washing facilities;
- f. cleaning of site entrances, site tracks and the adjacent public highway;
- g. timing of construction activities, including deliveries and the removal of waste, avoiding school pick up/drop off times as may be appropriate.
- h. provision of sufficient on-site parking to meet the needs of construction workers prior to commencement of construction activities;
- i. post construction restoration / reinstatement of the working areas and temporary access to the public highway; and

- j. where works cannot be contained wholly within the site, a plan shall be submitted showing the site layout on the highway including the extent of hoarding, pedestrian routes and remaining road width for vehicle movements.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan 2018 and TRA2, CFLR3, EQ2, EQ3 and EQ4 of the East Herts District Plan 2018.

4. Occupiers of the buildings hereby permitted shall implement the travel plan action plans and timetables that apply to them, including the submission of monitoring reports, as set out in the following documents, all dated 29 April 2020:

- Framework Plan (all occupiers) ref. PB9242-RHD-ZZ-XX-RP-R-0002 Rev S3/P01
- Nursery Plan ref. PB9242-RHD-ZZ-XX-RP-R-0003 Rev S2/PO1
- Care Home Plan ref. T&PPB8955R001F0.3 Rev 0.4/Final.

Reason: To ensure that sustainable travel options associated with the development are promoted and maximised to be in accordance with Policies 3, 5, 7, 8, 9 and 10 of Hertfordshire's Local Transport Plan 2018.

5. Prior to the above ground construction works being commenced in respect of each of the buildings 1, 2/3, 4 and 5 (as shown on site plan ref. 2462-HIA-05-00-DR-A-1001 rev. P11, dated 12/05/2020) the external materials of construction for that building shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved materials.

Reason: In the interests of amenity and good design in accordance with Policy DES4 of the East Herts District Plan 2018.

6. Prior to the commencement of development, tree and hedge protection measures, including the “no dig” areas, shall be implemented, all as described in the Tree Survey Report *Arboricultural Impact Assessment and Arboricultural Method Statement* prepared by The Landscape Partnership and dated December 2019. The fencing shall be 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. The 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 areas. In the event that any tree or hedgerow 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 and hedges of such size, species and in such number and positions as may be first agreed in writing with the Authority.

Reason: To ensure the continuity of amenity afforded by existing trees and hedges, in accordance with Policy DES3 of the East Herts District Plan 2018.

7. No removal of hedgerows, trees, or bramble scrub shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of the vegetation for active birds’ nests immediately before the vegetation is cleared and provided written confirmation to the local planning authority that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site.

Reason: To ensure that no harm is caused to the interests of nesting birds in accordance with Appendix D of BS42020:2013.

8. Prior to the commencement of construction of the development hereby approved, a schedule of the ecological mitigation and enhancement measures described in sections 6.2 and 6.3 of the Preliminary Ecological Appraisal prepared by The Landscape Partnership and dated November 2019 shall be submitted to the

local planning authority for approval. The approved measures shall be implemented in accordance with the approved details and retained thereafter.

Reason: To ensure the implementation of mitigation and enhancement in accordance with Policy NE3 of the East Herts District Plan 2018.

9. Prior to first occupation or use of any one of Buildings 1 - 4 (as shown on site plan ref. 2462-HIA-05-00-DR-A-1001 rev. P11, dated 12/05/2020), a visibility splay measuring 2.4 x 43 metres shall be provided at the eastern access where it meets the highway, in accordance with drawing PB9242-RHD-GE-SW-DR-R-0001 Rev P02, dated 04 May 2020, *Visibility splays*. The splay shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

Reason: In the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan 2018 and policy TRA2 of the East Herts District Plan 2018.

10. Prior to the first occupation or first use of any one of Buildings 1-4 (as shown on site plan ref. 2462-HIA-05-00-DR-A-1001 rev. P11, dated 12/05/2020), a Car Park Management and Maintenance Plan (CPMMP) shall be submitted to the Local Planning Authority for approval in writing. This shall include details of:
 - a) the allocation of any parking spaces to specific uses as may be required;
 - b) provision of disabled parking spaces;
 - c) provision of car parking spaces designated for plug in Electric Vehicles (EV);
 - d) provision of drop off spaces as may be required;
 - e) provision of cycle stands and shelters;
 - e) the means of lighting the car park; and
 - f) the means of managing and maintaining the car park in perpetuity.

The car park shall thereafter be managed and maintained in accordance with the approved CPMMP.

Reason: To ensure that parking provision meets the customer and visitor needs of all the approved uses within the development and in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan 2018 and Policy TRA2 of the East Herts District Plan 2018.

11. Prior to the first occupation or use of any one of Buildings 1 – 4, (as shown on site plan ref. 2462-HIA-05-00-DR-A-1001 rev. P11, dated 12/05/2020), a Landscaping Plan shall be submitted to the Local Planning Authority for approval in writing. All hard and soft landscape works shall be carried out in accordance with the approved details. Any trees or plants that within a period of five years after planting are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscaping in accordance with the approved designs, in accordance with Policies DES3 and DES4 of the East Herts District Plan 2018.

12. Prior to above ground construction works being commenced in respect of any one of Buildings 1 - 4 (as shown on site plan ref. 2462-HIA-05-00-DR-A-1001 rev. P11, dated 12/05/2020) the construction materials for hard surfaced areas including roads, driveways and car parking areas shall be submitted to and approved in writing by the Local Planning Authority. The site shall thereafter be implemented in accordance with the approved details

Reason: In the interests of amenity and good design in accordance with Policy DES4 of the East Herts District Plan 2018 and in the interests of highways safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan.

13. Prior to first occupation of Building 5 (as shown on site plan ref. 2462-HIA-05-00-DR-A-1001 rev. P11, dated 12/05/2020), a visibility splay measuring 2.4 x 43 metres shall be provided to the care home access where it meets the highway in accordance with drawing PB9242-RHD-GE-SW-DR-R-0062 Rev P02, dated 04 May 2020, *Western access visibility splays with bus shelter*. The splay shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

Reason: In the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan 2018 and policy TRA2 of the East Herts District Plan 2018.

14. Prior to first occupation or use of Building 5 (as shown on site plan ref. 2462-HIA-05-00-DR-A-1001 rev. P11, dated 12/05/2020), further details of the circulation route for refuse collection vehicles shall be submitted to the local planning authority and approved in writing. The required details shall include a full construction specification for the route, and a plan defining the extent of the area to which that specification will be applied. The approved refuse vehicle circulation route shall be laid out and constructed in accordance with the approved details and retained thereafter.

Reason: To facilitate refuse and recycling collections.

15. Prior to any above ground construction works being commenced on Building 5 (as shown on site plan ref. 2462-HIA-05-00-DR-A-1001 rev. P11, dated 12/05/2020), details of any external lighting proposed in connection with Building 5 shall be submitted to and approved in writing by the Local Planning Authority. No external lighting shall be provided without such written consent. The development shall then be carried out in accordance with the approved details and retained thereafter.

Reason: In the interests of the visual amenities of the area, and in order to ensure an adequate level of amenity for residents of the

new / existing dwellings in accordance with policy EQ3 of the adopted East Herts District Plan 2018.

16. Building 5 (as shown on site plan ref. 2462-HIA-05-00-DR-A-1001 rev. P11, dated 12/05/2020), shall be used as a care home within Use Class C2 and for no other purpose including any other purpose within Class C2 of the Town and Country Planning (Use Classes) Order 2005 (as amended).

Reason: Other uses within the Use Class may not be acceptable within this location in terms of their impact on traffic, transport and parking and in terms of the environmental impact given the location of the site in close proximity to residential properties and a school.

17. Prior to first occupation of Building 5 (as shown on site plan ref. 2462-HIA-05-00-DR-A-1001 rev. P11, dated 12/05/2020), full details of a scheme for the provision of covered and secure cycle parking facilities shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall thereafter be implemented in accordance with the approved details and retained thereafter.

Reason: To ensure that there is adequate provision for secure cycle accommodation for Building 5 in accordance with TRA1 and TRA3 of the East Herts District Plan 2018 and the Vehicle Parking Standards SPD 2008.

18. Prior to the first occupation or first use of Building 5 (as shown on site plan ref. 2462-HIA-05-00-DR-A-1001 rev. P11, dated 12/05/2020), full details of the proposed arrangements for the management and maintenance in perpetuity of the proposed access, car park and grounds within the development site shall be submitted to and approved in writing by the Local Planning Authority. The site shall thereafter be maintained in accordance with the approved details.

Reason: To ensure a satisfactory development in respect of highway safety and to ensure the site is well maintained in the interests of environment and amenity in accordance with Policy 5 of

Hertfordshire's Local Transport Plan 2018 and Policy TRA2 of the East Herts District Plan 2018.

19. Prior to the first occupation or first use of Building 5 (as shown on site plan ref. 2462-HIA-05-00-DR-A-1001 rev. P11, dated 12/05/2020), the car parking spaces designated for plug-in Electric Vehicles (EV) and served by EV ready (domestic and/or fast) charging points as shown on the approved site plan (ref. 2462-HIA-05-00-DR-A-1001 rev. P11, dated 12/05/2020) shall be provided and retained thereafter.

Reason: To ensure that the development offers a wide range of travel choices to reduce the impact of travel and transport on the environment in accordance with TRA1 of the East Herts District Plan 2018.

20. Prior to the first occupation or use of Building 5, (as shown on site plan ref. 2462-HIA-05-00-DR-A-1001 rev. P11, dated 12/05/2020), a Landscaping Plan shall be submitted to the Local Planning Authority for approval in writing. All hard and soft landscape works shall be carried out in accordance with the approved details. Any trees or plants that within a period of five years after planting are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscaping in accordance with the approved designs, in accordance with Policies DES3 and DES4 of the East Herts District Plan 2018.

21. Prior to above ground construction works being commenced in respect of Building 5 (as shown on site plan ref. 2462-HIA-05-00-DR-A-1001 rev. P11, dated 12/05/2020) the construction materials for hard surfaced areas including roads, driveways and car parking areas shall be submitted to and approved in writing by the Local

Planning Authority. The site shall thereafter be implemented in accordance with the approved details.

Reason: In the interests of amenity and good design in accordance with Policy DES4 of the East Herts District Plan 2018 and in the interests of highways safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan.

22. Prior to the construction of the car park, further details of the circulation route for refuse collection vehicles servicing Buildings 1-4 (as shown on site plan ref. 2462-HIA-05-00-DR-A-1001 rev. P11, dated 12/05/2020) shall be submitted to the local planning authority and approved in writing. The required details shall include a full construction specification for the route, and a plan defining the extent of the area to which that specification will be applied. The approved refuse vehicle circulation route shall be laid out and constructed in accordance with the approved details and retained thereafter.

Reason: To facilitate refuse and recycling collections.

23. Prior to any above ground construction works being commenced on Building 4 (as shown on site plan ref. 2462-HIA-05-00-DR-A-1001 rev. P11, dated 12/05/2020), details of any external lighting proposed in connection with Building 4 shall be submitted to and approved in writing by the Local Planning Authority. No external lighting shall be provided without such written consent. The development shall then be carried out in accordance with the approved details and retained thereafter.

Reason: In the interests of the visual amenities of the area, and in order to ensure an adequate level of amenity for residents of the new / existing dwellings in accordance with policy EQ3 of the adopted East Herts District Plan 2018.

24. Prior to first occupation of Building 4 (as shown on site plan ref. 2462-HIA-05-00-DR-A-1001 rev. P11, dated 12/05/2020), full details of a scheme for the provision of covered and secure cycle parking

facilities shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall thereafter be implemented in accordance with the approved details and retained thereafter.

Reason: To ensure that there is adequate provision for secure cycle accommodation for Building 4 in accordance with TRA1 and TRA3 of the East Herts District Plan 2018 and the Vehicle Parking Standards SPD 2008.

25. Prior to any above ground construction works being commenced on Building 2 / 3 (as shown on site plan ref. 2462-HIA-05-00-DR-A-1001 rev. P11, dated 12/05/2020), details of any external lighting proposed in connection with Building 2 / 3 shall be submitted to and approved In writing by the Local Planning Authority. No external lighting shall be provided without such written consent. The development shall then be carried out in accordance with the approved details and retained thereafter.

Reason: In the interests of the visual amenities of the area, and in order to ensure an adequate level of amenity for residents of the new / existing dwellings in accordance with policy EQ3 of the adopted East Herts District Plan 2018.

26. Prior to the first occupation of the ground floor flexible commercial units within Building 2 / 3 (as shown on Ground Floor General Arrangement Plan ref. 2462-HIA-04-00-DR-A-0200 rev. P11, dated 14/05/2020), full details of a scheme for the provision of cycle parking facilities shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall thereafter be implemented in accordance with the approved details and retained thereafter.

Reason: To ensure that there is adequate provision for secure cycle accommodation for the flexible commercial units in accordance with TRA1 and TRA3 of the East Herts District Plan 2018 and the Vehicle Parking Standards SPD 2008.

27. The ground floor commercial units hereby permitted (shown as Building 2 / 3 on site plan ref. 2462-HIA-05-00-DR-A-1001 rev. P11, dated 12/05/2020 and on Ground Floor General Arrangement Plan ref. 2462-HIA-04-00-DR-A-0200 rev. P11, dated 14/05/2020) shall be open to members of the public only between the hours of 0700 - 2200 on any day.

Reason: To ensure an adequate level of amenity for residents of the new / existing dwellings in accordance with policy EQ2 of the adopted East Herts District Plan 2018.

28. Prior to the first use of each of the ground floor commercial units hereby permitted (shown as Building 2 / 3 on site plan ref. 2462-HIA-05-00-DR-A-1001 rev. P11, dated 12/05/2020 and on Ground Floor General Arrangement Plan ref. 2462-HIA-04-00-DR-A-0200 rev. P11, dated 14/05/2020), a scheme including noise control measures for each unit shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall demonstrate that the rating noise level of plant shall not exceed the existing background noise level at the nearest noise-sensitive premises. Background noise levels shall be determined in accordance with BS 4142: 2014. The approved plant shall be installed and retained thereafter in accordance with the approved detail.

Reason: To protect the amenity of occupiers of the apartments within the development.

29. The ground floor commercial units within Building 2 / 3 (as shown on site plan ref. 2462-HIA-05-00-DR-A-1001 rev. P11, dated 12/05/2020 and on Ground Floor General Arrangement Plan ref. 2462-HIA-04-00-DR-A-0200 rev. P11, dated 14/05/2020), shall be limited to those contained within Use Classes A1 / A2 / A3 / A4 / D1 / D2 of the Town and Country Planning (Use Classes) Order 2005 (as amended).

Reason: To protect the amenity of occupiers of the apartments within the development and of nearby residential properties.

30. Prior to the first occupation of the first, second and third floor residential apartments within Building 2/3 (as shown on site plan ref. 2462-HIA-05-00-DR-A-1001 rev. P11, dated 12/05/2020), full details of a scheme for the provision of covered and secure cycle parking facilities shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall thereafter be implemented in accordance with the approved details and retained thereafter.

Reason: To ensure that there is adequate provision for secure cycle accommodation for the flexible commercial units in accordance with TRA1 and TRA3 of the East Herts District Plan 2018 and the Vehicle Parking Standards SPD 2008.

31. Prior to any above ground construction works being commenced on Building 1 (as shown on site plan ref. 2462-HIA-05-00-DR-A-1001 rev. P11, dated 12/05/2020), details of any external lighting proposed in connection with Building 1 shall be submitted to and approved in writing by the Local Planning Authority. No external lighting shall be provided without such written consent. The development shall then be carried out in accordance with the approved details and retained thereafter.

Reason: In the interests of the visual amenities of the area, and in order to ensure an adequate level of amenity for residents of the new / existing dwellings in accordance with policy EQ3 of the adopted East Herts District Plan 2018.

32. Prior to any first occupation of Building 1 (as shown on site plan ref. 2462-HIA-05-00-DR-A-1001 rev. P11, dated 12/05/2020), full details of a scheme for the provision of covered and secure cycle parking facilities shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall thereafter be implemented in accordance with the approved details and retained thereafter.

Reason: To ensure that there is adequate provision for secure cycle accommodation for Building 1 in accordance with TRA1 and TRA3 of

the East Herts District Plan 2018 and the Vehicle Parking Standards SPD 2008.

33. Opening hours for users of the D1 use hereby permitted (shown as Building 1 on site plan ref. 2462-HIA-05-00-DR-A-1001 rev. P11, dated 12/05/2020) shall be between the hours of:

0700 and 1930 Monday to Friday

0900 and 1500 Saturday

Reason: To ensure an adequate level of amenity for residents of the new / existing dwellings in accordance with policy EQ2 of the adopted East Herts District Plan 2018.

34. Prior to occupation of the D1 use hereby permitted (shown as Building 1 on site plan ref. 2462-HIA-05-00-DR-A-1001 rev. P11, dated 12/05/2020), details of the noise attenuation barrier along the eastern boundary of the nursery (as shown on the Landscape Masterplan ref. 101F and dated 11/05/20 and as detailed within the *Noise Assessment – Bishops Stortford North – Western Neighbourhood Local Centre Report* ref. H2863 version 3 dated 17th December 2019 by Hawkins Environmental) shall be submitted to and approved in writing by the Local Planning Authority. The noise attenuation barrier shall be installed and retained thereafter in accordance with the approved detail.

Reason: To ensure an adequate level of amenity for residents of the new / existing dwellings in accordance with policy EQ2 of the adopted East Herts District Plan 2018.

35. The proposed development shall be carried out in accordance with a phased programme of works above ground level, including accesses, internal roads, parking areas, public realm, landscaping and buildings, the details of which shall be submitted to and approved in writing by the Local Planning Authority prior to any above ground works taking place.

Reason: To ensure that the phasing of the development meets planning and highways requirements of the site and does not give rise to any conflicts, in accordance with Policy BISH3II(b) of the East Herts District Plan 2018 and Policy 5 of the Hertfordshire Local Transport Plan 2018

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 and any relevant material considerations. The balance of the considerations is that permission should be granted.

KEY DATA**Residential Development**

Residential density		
	Bed spaces	Number of units
Number of new flat units	1	8
	2	21
Total		29

Affordable Housing

Number of units	Percentage
29	100%

Non-Residential Development

Use Type	Floorspace (sqm)
D1 Nursery	616.3
Flexible A1, A2, A3, A4, D1, D2	878
C3 Residential	2604
D1 Surgery	1360
C2 Care Home	3985.3

Vehicle Parking Provision

Current Parking Policy Standards (East Herts District Plan 2018)

Use Class	Description	Car Parking Standards	Required provision
A1 Retail foodstores	Small food shops up to 500 m ² gfa	1 space per 30 m ² gfa	29 spaces (assumes 878 sqm)
A1 Non-food retail	Other shops		
A2 Financial and professional services	Banks, building societies, estate agencies		
C2 Residential institutions	Elderly persons residential and nursing homes	0.25 spaces per resident bed space	20 spaces
C3 Residential	1 bedroom dwellings/studios	1.50 spaces per dwelling	12 spaces
	2 bedroom dwellings	2 spaces per dwelling	42 spaces
D1 Non-residential institution	Surgeries and clinics	3 spaces per consulting room plus 1 space per employee other than consulting doctors/dentists/vets	35 spaces
	Nursery school/playgroups	1 space per 4 students	29 spaces
D2 Assembly and leisure	Places of entertainment/leisure parks for use when individual land use components are known	To be decided in each case on individual merits	On merit depending on mix of uses

Total required	167 spaces
Proposed provision	163 spaces