

DEVELOPMENT MANAGEMENT COMMITTEE – 12 AUGUST 2020

Application Number	3/19/2211/FUL
Proposal	Part conversion and part demolition of existing buildings. Provision of mixed use development for B1 Use (business) and retention of existing agricultural buildings. Erection of 26 dwellings, 10 to be affordable housing. Works to include access, landscaping, engineering and associated works. Provision of car parking spaces and cycle spaces.
Location	Land at Home Farm, Munden Road, Dane End
Parish	Little Munden
Ward	Mundens and Cottered

Date of Registration of Application	29 th October 2019
Target Determination Date	18 th June 2020
Reason for Committee Report	Major application
Case Officer	David Snell

RECOMMENDATION

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

Delegated authority be granted to the Head of Planning and Building Control to finalise the Section 106 Agreement and conditions.

1.0 Summary of Proposal and Main Issues

1.1 This application seeks planning permission for part conversion and part demolition of existing buildings. Provision of mixed use development for B1 Use (business) and retention of existing agricultural buildings. Erection of 26 dwellings, 10 to be affordable housing. Works to include access, landscaping, engineering and associated works. Provision of car parking spaces and cycle spaces at Home Farm, Dane End.

- 1.2 The main issue for consideration is whether the proposed development is acceptable in-principle and meets the aims of Policy GBR2, with regard to development in the Rural Area Beyond the Green Belt. Other matters for consideration relate to the quality of the layout and design, employment, highway impact surface water drainage, the provision of housing and affordable housing and the overall sustainability credentials of the proposed development.
- 1.3 The application has been substantially amended since its original submission in 2019 reducing the number of residential units proposed from 38 to 26 and omitting some land from the site proposed to be developed.

2.0 Site Description

- 2.1 The site lies outside the village boundary of Dane End and comprises land occupied by former agricultural buildings that have for some years been occupied by various commercial uses.
- 2.2 The site area is approximately 1.6 hectares and it is bounded by existing residential development.

3.0 Planning History

The following planning history is of relevance to this proposal:

Application Number	Proposal	Decision	Date
3/19/0049/CLXU	To confirm the lawful use of buildings for employment purposes, comprised of: Building A2 for commercial storage (Use Class B8); Building A3 for furniture restoration (Use Class B1(c);	Granted	14/11/2019 Appeal lodged

	Building A4 for commercial storage (Use Class B8); Building B1 for auto repairs business (sui generis); Building B2 for commercial storage (Use Class B8); Building D for the use as music studio (Use Class B1); Building F for the storage of vehicles in connection with auto repairs (sui generis); Building G for commercial storage (Use Class B8); Building H for commercial storage (Use Class B8) and Building I for commercial storage (Use Class B8).		
3/19/2619/CLXU	Established B8 employment use within Building H at Home Farm for a period exceeding 10 years.	Refused	02/03/2019 Appeal lodged
3/19/2620/CLXU	Established use of Building I for B8 use over a period exceeding 10 years.	Refused	24/02/20 Appeal lodged

4.0 Main Policy Issues

- 4.1 These relate to the relevant policies in the National Planning Policy Framework (NPPF) and the adopted East Herts District Plan 2018 (DP).

Main Issue	NPPF	DP
Principle of housing development	Chapter 2	DPS1, DPS2, GBR2
Employment	Chapter 6	ED1, ED2
Quality of design and landscaping	Chapter 12	DES2, DES3, DES4, DES5
Delivery of housing	Chapter 5	HOU1, HOU2, HOU3, HOU7
Neighbour amenity and amenities of future occupiers	Chapter 12	DES4, EQ2, EQ3 and EQ4
Highways and parking	Chapter 9	TRA1, TRA2, TRA3
Flood risk, drainage and climate change	Chapter 12	WAT1, WAT2, WAT3, WAT4, WAT5, WAT6, CC1
Delivery of Infrastructure		DEL2

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 does not wish to restrict the grant of planning permission, subject to conditions.
- 5.2 Lead Local Flood Authority have no objection, subject to conditions.
- 5.3 Environment Agency raise no objections.
- 5.4 Thames Water advise that waste water infrastructure improvements will be required to accommodate the development and request a condition.
- 5.5 EHDC Housing Development Advisor comments that the affordable housing proposals are acceptable.

- 5.6 HCC Historic Environment Unit commented that the proposed development should be regarded as likely to have an impact on heritage assets of archaeological interest, and a pre-commencement condition is therefore recommended if permission is to be granted.
- 5.7 Herts Ecology have no objection, subject to conditions.
- 5.8 EHDC Environmental Health Advisor has no objection, subject to conditions.
- 5.9 Herts Police Crime Prevention Advisor raised concerns about the parking layout proposed in the original proposals. No response has been received to consultation on the revised layout.
- 5.10 Thames Water have advised that infrastructure improvements may be required and request a condition.
- 5.11 Affinity Water have issued advice on water quality.
- 5.12 The Conservation and Urban Design Advisor confirms that layout design issues raised have been addressed in the revised proposals.
- 5.13 The Landscape Advisor raised some concerns about the layout originally proposed.
- 5.14 HCC Growth and Infrastructure Unit request financial planning obligations.

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

6.0 Parish Council Representations

- 6.1 In response to consultation on the initial proposal the Parish Council responses are summarised below. Parish Councils have been re-

consulted on the latest amended proposals and responses received will be reported at the meeting.

- 6.2 Little Munden Parish Council raise concern about road safety and the Highway Authority's requirement for the provision of a footpath and traffic calming on Munden Road. The footpath will result in existing residents parking on the opposite side of the road and the resulting restricted width will result in unsafe conditions for users of the footpath. Residents may park on the footpath making its provision ineffective. There is also no street lighting in Munden Road and the proposals would impede bus routes. The proposal would harm the setting of nearby listed buildings and they would urbanise and ruin overall views of the village.
- 6.3 Watton-at-Stone Parish Council comment that they take the view that the proposal is not what the Council had in mind for Group 2 Villages particularly where sustainability is an issue. Most residents will commute to work adding to the traffic burden on the A602.
- 6.4 Benington Parish Council consider that the proposal is unsustainable. It does not constitute limited infill in the village and it would put additional pressure on village facilities and infrastructure and the A602.
- 6.5 Sacombe Parish Council consider that the proposal does not meet Policies VILL2 or GBR2 and that it would result in the loss of agricultural and employment uses.
- 6.6 Standon Parish Council consider that the Group 2 village should have limited infill only. This is a major application outside the boundary of the village. The proposal would result in significant loss of employment at the site should the application be granted. The increase in population would be disproportionate to the existing population level. This speculative application designed to maximise profit only. Whilst a 40% affordable element may be included at this stage, Standon Parish Council has first-hand experience of this not being achieved, and the affordable element is not ring-fenced for people with a local connection in perpetuity. The comments on

application 3/15/1080/FUL for the lagoon dismissed at appeal apply. Munden Road the dangerous road. Waste water provision is at capacity. The addition of, in all likelihood, 100 plus residents will impact the infrastructure of Standon as they will require access to the doctors and the schools. The road congestion is demonstrably very poor particularly at school times. It must be noted that the Buntingford surgery is to close which will increase the number of people travelling into Puckeridge from Buntingford. The addition of some 100 more will cause great stress on an already overloaded system.

7.0 Summary of Other Representations

7.1 In response to consultation on the originally submitted proposals the responses are detailed below.

7.2 56 responses were received objecting to the proposal on the following grounds:

- Considerable increase in the size of the village;
- Residents would need to drive to amenities;
- Lack of infrastructure;
- Would prejudice highway safety on Munden Road;
- More pedestrians on busy road;
- Change to landscape;
- Lack of school places;
- Detriment to listed building;
- Conflict with Development Plan policy.

7.3 31 letters of support were received for the following reasons:

- Safer to walk on highway;
- Would provide safer highway conditions;
- Its poor driving on country roads not the amount of traffic that is an issue;
- Will sustain the future of the village;
- Of benefit to the support for village businesses and facilities;
- Would provide much needed housing and affordable housing;

- Would significantly improve this untidy site;
- Proposal is sympathetic to the village;
- Would support the continued need for school.

7.4 Re-consultation on the amended proposal attracted the response detailed below.

7.5 39 responses were received objecting to the proposal.

7.6 35 responses were received supporting the proposal.

7.7 Members are advised that the above includes a limited number of responses both objecting and in support of the proposal from address outside the district or a considerable distance from the application site.

7.8 5 responses were received making comment not raising objection or support for the proposal. The comments included:

- No objection overall but concern over proposed footpath;
- Should not be permitted before A602 improvements are completed;
- Concern regarding the future of a site boundary wall.

7.9 A letter from Little Munden Primary School in response to consultation by the applicant supports the proposal advising that the school role fluctuates from year to year and the provision of the new housing will help to sustain the schools future. Similarly, the applicants have submitted a letter of support from Datchworth village shop.

8.0 Consideration of Issues

Principle of development

8.1 Policy DPS2 sets out that the strategy of the District Plan is to deliver sustainable development in accordance with a hierarchy, which seeks to direct development towards sustainable brownfield sites,

sites within and extensions to the towns and limited development within the villages. The application site is a brownfield site which lies outside the designated village boundary of the Group 2 Village of Dane End.

- 8.2 Members are advised that as the site lies outside the village boundary Policy VILL2 which deals with development policy within the village is not relevant to the proposal. The principle of the proposal falls to be considered having regard to Policy GBR2 which deals with the policy requirements for the Rural Area Beyond the Green Belt.
- 8.3 In order to preserve the countryside resource Policy GBR2 restricts development to a number of categories. Of the stated categories GBR2(e) permits the partial or complete redevelopment of previously developed land (brownfield land) whether redundant or in continuing use, in sustainable locations and where appropriate to the character and appearance of the site and surrounding area.
- 8.4 In this policy context the site is occupied by a variety of established commercial uses and it should be noted from the planning history that a Certificate of Lawfulness of existing use was granted for the majority of the existing commercial uses under application reference: 3/19/0049/CLXU. Furthermore, the application site area has been reduced to omit land which lawfully remains in agricultural use. It is therefore considered that the site comprises previously developed land (a brownfield site) and therefore that the proposal to re-develop the site is acceptable in principle having regard to the district's development strategy and Policy GBR2.

Design and Layout

- 8.5 The application has progressed through substantive change since its original submission. The application is supported by a Design and Access statement and officers are satisfied that the design approach taken is robust. A number of issues raised by officers including the quantum of development proposed and specific layout design issues have been addressed. It is now considered that the design

and layout of the development is of good quality and that having regard to Policy DES4 it responds well to the site and its surroundings.

- 8.6 The proposal utilises the retention of some existing buildings by conversion and the traditional design of new buildings reflects the location of the site, retained buildings and the surrounding area.
- 8.7 In response to officer comments there is now a distinct separation between the employment and residential elements of the proposed development.

Loss of Employment

- 8.8 As previously noted, the site is previously developed land and it accommodates a number of existing employment uses that would be lost. In floor space terms 1865m² would be lost. However, the application is for a mixed residential and employment development and it would include the provision of 442m² of modern employment floor space by the remodelling of retained Building N and the provision of 3 new units. The applicant advises that employment space is aimed at uses within Use Class B1 which are compatible with the adjoining proposed residential development.
- 8.9 Policy ED1 outlines that development which would cause the loss of an existing site which is currently or was last in employment use will only be permitted where the retention of the site has been fully explored without success. However, the Policy sets out that for non-designated employment sites, a proportionate approach should be taken.
- 8.10 A significant proportion of the existing employment floorspace is in poor re-used buildings and their surrounds and is in low employment car associated use such as vehicle recovery. Therefore its loss to modern employment development more suited to the location of the site is considered to be acceptable. Therefore, it is considered that very limited negative weight should be attributed to

the loss of this employment site and that this is outweighed by the provision of modern replacement employment space.

- 8.11 The provision of modern employment floorspace will support the rural economy in accordance with Policy ED2 of the District Plan.

Delivery of Housing and Affordable Housing

- 8.12 The proposal will provide 26 residential dwellings in a mix of 5 x 2 bed, 18 x 3 bed and 3 x 4 bed houses.
- 8.13 The area of the site comprising the residential development is approximately 1.0ha and the proposed development of 26 units would be at a density of approximately 26 dph. It is considered that the proposed density of development is compatible with the site and its surroundings and provides for an effective use of this brownfield site.
- 8.14 10 affordable units are to be provided (40%) in accordance with Policy HOU3 in a tenure split of 4 x 2 bed units and 4 x 3 bed units for affordable rent and 2 x 3 bed units for shared ownership.
- 8.15 The development is laid out in courts and affordable housing is laid out in three clusters in the central part of the site mixed with market housing. This distribution across the site is considered to be acceptable.
- 8.16 The Council's Housing advisor is content with the housing mix, distribution and tenure mix proposed.
- 8.17 The provision of housing and affordable housing carries significant positive weight.

Neighbour amenity and amenities of future occupiers

- 8.18 There is no direct material impact on the residential amenity of occupiers of nearby residential properties.

- 8.19 It is considered that the proposed development provides good quality of accommodation and environment for future occupiers.
- 8.20 The development therefore accords with Policy DES4 (c).
- 8.21 A recommended condition requires the submission of a Construction Management Plan (CMP) to address the temporary adverse impact of implementation.

Highways and parking

- 8.22 The application is supported by a Transport Statement dated May 2020 and a package of highway mitigation measures are proposed by the applicant following consultation with the Highway Authority as follows:
- The provision of a virtual footway on the north side of Munden Road;
 - Changes to the junctions at Munden Road/Whempstead Lane and Munden Road/Easinton Road on the edge of the village to make them more suitable for pedestrian crossing;
 - The provision of two gateway carriageway narrowing marking points on Munden Road and Whempstead Lane to reduce vehicle speeds;
 - The existing access on Munden Road towards the north of the site to be narrowed to form a pedestrian access only;
 - A new bus stop and shelter on Munden Road to the north of the pedestrian access.
- 8.23 The package of highway works is of critical importance to ensuring the sustainability of the scheme in transport terms and the provision of a virtual footway on the north side of Munden Road will enhance pedestrian access to services and facilities in Dane End and connecting access onwards to Little Munden Primary School.
- 8.24 The Highway Authority are content with the proposed access arrangements mitigation and sustainability measures, subject to

conditions. The mitigation will be secured via a S278 Agreement with the Highway Authority.

- 8.25 A Construction Management Plan (CMP) is to be secured by condition and this is required to take account of improvement works to the A602 and diversions arising.
- 8.26 It is considered that the proposed development provides safe and suitable accesses, and the proposal therefore accords with Policy TRA2. The highway impacts of the development are therefore regarded as neutral, but positive weight can be attributed to the local improvements to sustainable transport.
- 8.27 With reference to parking provision the parking SPD advises that development should seek to provide a maximum of 67 parking spaces for the residential element of the proposal. But regard may be had to a 25% Zone 4 reduction. The highway impact and parking aspects of the proposal are in accordance with policy requirements and therefore carry neutral weight.
- 8.28 65 parking spaces are proposed for the residential element of the scheme which is considered to be an acceptable level of provision.
- 8.29 15 spaces are provided for the employment space which accords with the adopted standard.
- 8.30 In accordance with the adopted standard 15 cycle parking spaces are provided for the employment uses and each dwelling will be provided with a cycle parking space within its curtilage.
- 8.31 The parking provision accords with adopted standards and Policy TRA3 of the District Plan.

Flood risk and sustainable drainage

- 8.32 The land to be developed lies within Flood Zone 1 and therefore is not at risk of fluvial flooding. The Environment Agency raise no objection.

8.33 The Lead Local Flood Authority observes that two surface water drainage strategies have been put forward:

- By infiltration, or;
- By swale storage and discharge into The Old Borne water

8.34 Both strategies are feasible and acceptable but the preferred strategy is infiltration. The issue is addressed by condition which requires drainage details to be submitted and approved.

Sustainability

8.35 Members are advised that whilst the application site lies outside the village boundary it is not regarded as isolated and access to village facilities are within walking distance. The highway mitigation measures proposed will improve the accessibility position. It is considered that the reduced number of dwellings now proposed is acceptable in terms of the locational context of the site. Having regard to Policy GBR2 it is therefore considered that the site is a sustainable location for the scale of residential and employment development proposed.

8.36 A full energy statement by Sadler Energy and a Sustainable Design Strategy by King and Co have been submitted in support of the application.

8.37 The building design adopts the approach of the Building Futures - Building Design Toolkit. A fabric first approach to building design proposes to achieve a 20-29% reduction in carbon emissions over Part L of the Building Regulations. A range of renewable energy options are being actively considered by the applicant such as photovoltaics and ground and air source heat pumps. Further details and finalisation of the renewable energy proposals are sought by condition.

8.38 Energy saving devices and low energy lighting are proposed in both the residential and employment buildings.

- 8.39 It is therefore considered that the proposal successfully responds to climate change and mitigation and Policies CC1 and CC2 of the District Plan.
- 8.40 Water saving measures are proposed to achieve a consumption of 110 litres per person per day compared to the Building Regulations baseline of 125 litres per person per day in accordance with Policy WAT4 of the District Plan.
- 8.41 In terms of accessibility and adaptability all dwellings are to meet Part M(2) of the Building Regulations and 2 x 3 bed dwellings and 1 x 2 bed dwelling are to meet Part M4(3) and are to be suitable for wheelchair users.
- 8.42 All dwellings are to have access to an electric car charging point and two charging points are to be provided for the employment uses.
- 8.43 The applicants are in discussion with Open Reach and high speed broadband infrastructure is to be provided. This is secured by a condition requiring the approval of details.
- 8.44 Positive weight may be attributed to the good response of the application to sustainable design.

Ecology

- 8.45 The application included the submission of an Ecological Appraisal. As set out by Herts Ecology and further to that 3 reports relating to bat and reptile surveys.
- 8.46 Herts Ecology have considered the submissions and advise that the site is of relatively low ecological value. Herts Ecology note the recently submitted additional information regarding planting and are satisfied with the strategy for biodiversity gain. The ecological impact of the proposed development is regarded as neutral and a condition is recommended to provide for a Landscape Management Plan (LEMP) to ensure biodiversity net gain.

Archaeology

- 8.47 HCC Historic Environment Unit advise that the site lies within a designated Area of Archaeological Significance associated with Little Munden which may have origins dating back to the Medieval period.
- 8.48 Home Farm originally known as Dane End Farm is documented from 1730.
- 8.49 The site is therefore regarded as one which is likely to have impact of archaeological heritage assets and a program of archaeological investigation is recommended. This is to be secured by condition.

Contamination

- 8.50 Due to the site being previously developed a condition requiring a contamination survey and remediation is recommended in accordance with normal practice.

9.0 Planning Obligations

- 9.1 With regard to the provision of financial support for the delivery of services and infrastructure, as the application is for the provision of 26 residential units, the need for financial contributions is required under Policy DEL2.
- 9.2 HCC has confirmed that they will require contributions based on Table 2 of HCC's Planning Obligations toolkit:
- Secondary education - £313,097 (index linked to PUBSEC175)
 - Youth Services - £1,118 Ware Youth Centre outdoor seating (indexed linked to PUBSEC175)
 - Library Services - £2,654 Ware Library improvements (to be indexed linked to PUBSEC175)
- 9.3 On considering the comments from the County Council, the contributions requested are considered to be necessary and

reasonable based on pressures that the development will place on existing infrastructure. The obligations are therefore considered to meet the tests set out in Section 122 of The Community Infrastructure Levy Regulations (CIL) 2010.

- 9.4 The applicants are in discussion with HCC in regard to the education contribution sought and this has not as yet been finalised.
- 9.5 Given the scale of the proposed development and the likely cost of highway and sustainable transport mitigation no other financial planning obligations have been sought.
- 9.6 The highway mitigation is secured by condition and delivered by a separate Section 278 Agreement with the Highway Authority.

10.0 Planning Balance and Conclusion

- 10.1 The proposal involves the redevelopment of a brownfield site which is acceptable in principle in the rural area having regard to the restrictions placed on new development by Policy GBR1. The development results in an efficient use of previously developed land and general environment of the site will be improved.
- 10.2 The loss of existing employment carries limited negative weight as this is compensated for by replacement modern employment floor space. This will support the local rural economy and this is supported by Policy ED2 and the NPPF and carries positive weight.
- 10.3 The design of the proposed development is of good quality and it responds well to the site and its surroundings.
- 10.4 The provision of housing on the brownfield site and the provision of 40% affordable housing carries significant positive weight.
- 10.5 Subject to the highway and sustainable transport mitigation proposed the highway impact of the development is regarded as neutral.

- 10.6 The proposal provides for sustainable drainage and responds well to climate change, energy conservation and water saving policy. The sustainability credentials of the proposed development should be attributed positive weight.
- 10.7 Overall, it is considered that the proposal is of good quality and that it complies with District Plan policy. The application is therefore recommended for approval.

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:

That delegated authority be granted to the Head of Planning and Building Control to finalise the Section 106 Agreement and conditions.

Legal Agreement

The legal agreement shall provide for:

- 10 affordable housing units (1 x 3 bed Shared ownership and 4 x 3 bed, 4 x 2 bed affordable rent).
- The following financial contributions:
 - Secondary education - £313,097 (index linked to PUBSEC175)
 - Youth Services - £1,118 Ware Youth Centre outdoor seating (indexed linked to PUBSEC175)
 - Library Services - £2,654 Ware Library improvements (to be indexed linked to PUBSEC175)
- The provision of fire hydrants.

Conditions

1. Three year time limit (1T12)
2. Approved plans (2E11)
3. Details of lighting (2E27)
4. Communal TV (2E28)
5. Contamination (2E33)
6. Samples of materials (2E12)
7. Details of Hard Surfacing (3V21)
8. Landscape design (4P12)
9. Landscape implementation (4P13)
10. Levels (2E05)
11. Prior to first occupation of the development hereby permitted, the vehicular access (es) shall be provided and thereafter retained at the position shown on the approved in principle drawing number PL02 Rev A. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

Reason: To ensure satisfactory access into the site in accordance with Hertfordshire's Local Transport Plan 2018 and Policy TRA2 of the East Herts District Plan 2018.

12. Prior to commencement of development, the scheme as shown on the approved in principle drawing number PL01 Rev A relating to a package of off-site highway works to improve pedestrian accessibility, safety and public transport infrastructure shall be submitted to and approved in writing by the Local Planning

Authority. Prior to first occupation, the scheme shall be constructed in accordance with the approved details.

Reason: To ensure construction of a satisfactory development and in the interests of highway safety in accordance of Hertfordshire's Local Transport Plan 2018 and Policy TRA2 of the East Herts District Plan 2018.

13. No development shall commence until a Construction Management Plan (CMP) 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 CMP shall include details of:
- a) Construction vehicle numbers, type, routing (to also consider the effects of the wider A602 improvement works on routing);
 - b) Access arrangements to the site;
 - c) Traffic management requirements;
 - d) Construction and storage compounds (including details of fencing, hoarding, 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 delivery times and removal of waste) and to avoid school pick up/drop off times;
 - h) Provision of sufficient on-site parking prior to commencement of construction activities;
 - i) Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
 - j) where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements.

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

14. Travel Plan Statement(s) for both the residential and commercial elements of the site shall be submitted and approved by the Highway Authority at least three months prior to the first occupation of the development, which shall include:
- a) the objectives/provisions detailed in the GTP Guidance as are appropriate to the Development or the relevant part thereof;
 - b) the means whereby the effectiveness of the Green Travel Plan can be reviewed and recorded including details of targets and annual reporting to the County Council; and
 - c) the monitoring of trip rates to and from the Site in accordance with the Monitoring Strategy.

Reason: To ensure that sustainable travel options associated with the development are promoted and maximised in accordance with Hertfordshire's Local Transport Plan 2018 and Policy TRA1 of the East Herts District Plan 2018.

15. Prior to first occupation of the development details of the proposed arrangements for future management and maintenance of the proposed streets within the development shall be submitted to and approved in writing by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as a Private Management and Maintenance Company has been established.

Reason: To ensure the satisfactory maintenance of the development and in the interests of amenity and highway safety.

16. The development shall not be occupied until confirmation has been provided to the Local Planning Authority that either:- all sewage works upgrades required to accommodate the additional flows from the development have been completed; or a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place

other than in accordance with the agreed housing and infrastructure phasing plan.

Reason: To avoid sewage flooding and/or potential pollution incidents.

17. 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 and approved in writing by the Local Planning Authority. 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.

Reason: In the interests of safeguarding archaeological interests in accordance with Policy HA3 of the East Herts District Plan 2018.

18. The development permitted by this planning permission shall prioritise discharge via infiltration, with the final scheme seeking to reflect the SuDS hierarchy.
- Discharging via infiltration if BRE Digest 365 infiltration testing and contamination investigations demonstrate infiltration is feasible on site.
 - Priority given to the provision of above-ground SuDS features to provide biodiversity and amenity benefits.

Reason: To prevent flooding by ensuring the satisfactory disposal and storage of surface water from the site in accordance with Policy WAT5 of the East Herts District Plan 2018.

19. The development permitted by this planning permission shall be carried out in accordance with the approved surface water drainage assessment carried out by Pinnacle Consulting Engineers, project number C181203, dated June 2020, submitted in support of this application and the following mitigation measures:

- a) Limiting the surface water run-off generated by the critical storm events so that it will not exceed the surface water run-off rate during the 1 in 100 year event plus 40% of climate change event.
- b) Providing storage to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event providing a minimum of 1,127 m³ (or such storage volume agreed with the LLFA) of storage volume in infiltration basins.
- c) Discharge of surface water from the private network into the ground via infiltration, or to the main river The Old Bourne if infiltration tests demonstrate infiltration is unfeasible.

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

Reason: To prevent flooding by ensuring the satisfactory disposal and storage of surface water from the site in accordance with Policy WAT5 of the East Herts District Plan 2018.

20. No development shall take place until a detailed surface water drainage scheme for the site based on the approved drainage strategy and sustainable drainage principles has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy should demonstrate that the surface water run-off generated up to and including 1 in 100 year + climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include:

- a) Detailed infiltration tests conducted to BRE Digest 365 standards at the exact locations and depths where infiltration is proposed.
- b) A detailed geotechnical investigation into any sources of contamination on site, including proposed remediation measures if required.
- c) Detailed engineered drawings of the proposed SuDS features including cross section drawings, their size, volume, depth and any inlet and outlet features including any connecting pipe runs.
- d) Final post-development calculations of run-off rates and volumes to consider the entire site, including half drain down times for attenuation and infiltration features.

Reason: To prevent the increased risk of flooding, both on and off-site in accordance with Policy WAT5 of the East Herts District Plan 2018.

21. Upon completion of the drainage works for the site and in accordance with the timing/phasing arrangements, 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. The scheme shall include:

1. Provision of a complete set of as built drawings for site drainage.
2. Confirmation of the installed system.
3. A photo record demonstrating the installation of the SuDS features.
4. Maintenance and operational activities.
5. 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 in accordance with Policy WAT5 of the East Herts District Plan 2018.

22. The development shall be carried out in accordance with the mitigation measures in sections 6 of the Bat survey and assessment (report date September 2019) by BABEC Ltd Ecological Consultants and within the constraints of any relevant EPS licence.
23. Prior to the commencement of the development, a Landscape and Ecological Management Plan (LEMP) shall be submitted and approved in writing by the Local Planning Authority. The LEMP shall describe how it is planned to incorporate biodiversity as part of the development, achieve overall net gains for biodiversity and how this will be sustained over a period of 30 years. The approved plan shall be implemented in accordance with the approved details.

Reason: To enhance biodiversity In accordance with Policy NE4 of the East Herts District Plan 2018.

24. The construction of the development hereby approved shall be carried out in accordance with the provisions for CO2 emissions, energy and water savings identified in the Energy Strategy by Sadler Energy, the Sustainability Statement and other supporting documents. The development shall include the renewable energy measures as identified details of which shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall thereafter be installed and maintained.

Reason: To ensure appropriate adaption to climate change in accordance with Policy CC1, CC2 and CC3 of the East Herts District Plan 2018.

25. Prior to the commencement the development hereby permitted details of the installation of and measures to facilitate the provision of electric vehicle charging points to the development shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include a timetable and method of delivery. Once approved, electric vehicle charging points shall be installed in accordance with the approved details and made available for use prior to first occupation.

Reason: In order to ensure the provision of appropriate infrastructure to support the future sustainability of the development in accordance with Policy DES5 of the East Herts District Plan 2018.

26. Prior to the commencement of any Phase of the development hereby permitted (as Outlined in the Phasing Plan, once approved) details of the measures required to facilitate the provision of high speed broadband internet connections to the development shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include a timetable and method of delivery for high speed broadband for each residential and commercial unit. Once approved, high speed broadband infrastructure shall be implemented thereafter in accordance with the approved details and made available for use prior to first occupation of the residential and commercial to which it relates.

Reason: In order to ensure the provision of appropriate infrastructure to support the future sustainability of the development in accordance with policy DES4 of the East Herts District Plan 2018.

27. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015, or any amending Order, the enlargement, improvement or other alteration of any dwelling house as described in Schedule 2, Part 1, Class A of the Order shall not be undertaken without the prior written permission of the Local Planning Authority.

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

28. In accordance with the statements supporting the application in respect of accessible and adaptable homes all the dwellings shall meet the provisions of Part M(2) of the Building Regulations and 2 x 3 bed houses and 1 x 2 bed bungalow are to Part M4(3) and are to be suitable for wheelchair users.

Reason: To support the needs of occupiers and independent living in accordance with Policy HOU7 of the District Plan.

29. The commercial buildings forming part of the application hereby approved shall only be used for purposes within Use Class B1 of the Town and Country Planning (Use Classes) Order 1987, or any amending Order, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the residential amenities of adjoining occupiers in accordance with Policies DES4 and EQ2 of the East Herts District 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.

Informatives

1. Other legislation (1OL1)
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 applicant is advised that nesting birds are protected under the Wildlife and Countryside Act 1981 and care should be taken in vegetation clearance works between 1st March and 30th September.
4. Section 278 Agreement: The applicant will be required to enter into a Section 278 to agree any alternations or improvements to the public highway. This includes the proposed new access arrangements and any off site works.

5. The discharge of domestic sewage associated with this development will require an environmental permit under the Environmental Permitting (England and Wales) Regulations 2016 from the Environment Agency. You can find more information online at <https://www.gov.uk/permits-you-need-for-septic-tanks/permits> or contact us on 03708 506506 for an application form and guidance. You should be aware that the permit may not be granted. A permit will only be granted where the risk to the environment is acceptable.

6. The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:
 - on or within 8 metres of a main river (16 metres if tidal)
 - on or within 8 metres of a flood defence structure or culvert (16 metres if tidal)
 - on or within 16 metres of a sea defence
 - involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
 - in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.

KEY DATA**Residential Development**

Residential density	26 units/Ha	
	Bed spaces	Number of units
Number of existing units demolished		0
Number of new flat units	1	0
	2	0
	3	0
Number of new house units	1	0
	2	5
	3	18
	4+	3
Total		26

Affordable Housing

Number of units	Percentage
10	40%

Parking

Parking Zone		
Residential unit size (bed spaces)	Spaces per unit	Spaces required
1	0	0
2	2.00	10
3	2.50	45
4+	3.00	12
Total required		67
Accessibility reduction	Zone 4 25%	16
Resulting requirement		51
Proposed provision		65

Non-Residential Development

Use Type	Floorspace (sqm)
B1	442

Non-residential Vehicle Parking Provision

Use type	Standard	Spaces required
B1	1space 30 m2 floorspace	
Total required	15	
Accessibility reduction	25%	
Resulting requirement	12	
Proposed provision	15	