

DEVELOPMENT MANAGEMENT COMMITTEE – 9 SEPTEMBER 2020

Application Number	3/18/2735/FUL
Proposal	Hybrid planning application comprising: Full planning permission for 85 dwellings along with a new access onto Cambridge Road, provision of new spine road, landscaping, associated infrastructure and the demolition of existing dwelling; and Outline planning permission for up to 99 dwellings with associated open space, landscape and infrastructure with all matters reserved except access.
Location	Land at Cambridge Road, Sawbridgeworth
Parish	Sawbridgeworth Town Council
Ward	Sawbridgeworth

Date of Registration of Application	30 th January 2019
Target Determination Date	30 th September 2020
Reason for Committee Report	Major Application
Case Officer	Jill Shingler

RECOMMENDATION

That (A) planning permission be **GRANTED** subject to a Legal Agreement and to the conditions set out at the end of this report.

(B) Delegated Authority be granted to the Head of Planning and Building Control to finalise the detail of the Legal Agreement and conditions.

1.0 Summary of Proposal and Main Issues

1.1 The site forms part of the development strategy in the East Herts District Plan 2018 as detailed in Policies DPS1, DPS2 and DPS3 and Sawbridgeworth Policies SAWB1 and SAWB4. The application site comprises part of the overall SAWB4 site which is allocated for residential development of around 200 units by 2027. The principle of the residential development is therefore established.

- 1.2 The application is a hybrid application which provides full details for phase 1 of the development to provide 85 dwellings and seeks outline consent with all matters except access reserved, for the development of up to 99 dwellings on phase 2. Phases one and two comprise approximately two thirds of the total SAWB4 allocated site area and the applicant does not currently own the remainder of the site. It is anticipated that the remaining area will come forward on due course.
- 1.3 The application was initially submitted before a masterplan for the site had been completed, but since its submission a full masterplanning process has taken place and a masterplan framework for the whole of the allocated site has been agreed by the Council. The masterplan framework is a material consideration for development management purposes. Following the completion of the masterplan framework, amended plans for Phase 1 of the development were submitted and these have been further amended during the course of the application in response to concerns raised. The application proposals are considered to accord with the development concept outlined in the masterplan framework, and the proposals allow for the future development of phase 3 of the allocated site should it come forward in the future.
- 1.4 The main issues for consideration are:
- Masterplanning;
 - Layout and design;
 - Housing and affordable housing provision;
 - Highway impact, mitigation and parking provision;
 - Climate Change, flood risk and sustainable drainage;
 - Land contamination and pollution;
 - Impact on the natural environment
 - Heritage impact;
 - Infrastructure delivery.
- 1.5 Members will need to consider the overall planning balance and whether the proposal will result in a sustainable form of development having regard to the above considerations.

2.0 **Site Description**

- 2.1 The site comprises approximately 6.4 hectares of open land situated to the immediate north of the existing residential edge of the main settlement of Sawbridgeworth, to the east of Cambridge Road.
- 2.2 There is one existing dwelling on the site, and part of the land is used for grazing. There are two existing accesses to the site from Cambridge Road, one serves the dwelling and the other towards the centre of the site provides access to a track which runs through the centre of the site and leads down to the River Stort to the east. The eastern edge of the site is some 200 metres west of the river.

3.0 **Planning History**

- 3.1 There is no relevant planning history relating to the site.

4.0 **Main Policy Issues**

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

Main Issue	NPPF	DP policy
Principle	Section 5	INT1 DPS1 DPS2 DPS3 SAWB1 SAWB4
Masterplanning		DES1
Design and layout	Section 12	SAWB4 DES1 DES3 DES4
Housing and affordable	Section 5	HOU1

housing		HOU2 HOU7
Highways and parking	Section 9	TRA1 TRA2 TRA3
Healthy and safe communities	Section 8	DES5 CFLR1 CFLR7 CFLR9 CFLR10
Flood risk and sustainable drainage, climate change water efficiency and quality	Section 14	WAT1, WAT3, WAT5, WAT6, CC1, CC2
Contamination and pollution		EQ1 EQ2 EQ3 EQ4
Natural environment	Section 15	DES2 NE1 NE2 NE3 NE4
Heritage	Section 16	HA1 HA3
Education		CFLR10
Infrastructure delivery and planning obligations	Section 2 Section 4	DEL1 DEL2
Overall sustainability	Section 2	Chapter 1 INT1

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 and Section 106 requirements
- 5.2 Lead Local Flood Authority following the submission of additional information, does not wish to restrict the grant of planning permission, subject to the imposition of planning conditions relating to each phase.
- 5.3 Environment Agency comments that they do not object subject to conditions.
- 5.4 Thames Water advise that with regard to foul water sewerage network infrastructure capacity they have no objection to the proposals based on the information provided and that with regard to surface water drainage they advise that if the developer follows the sequential approach to the disposal of surface water they have no objection.
- 5.5 Affinity Water Advises that this is a ground water protection zone and that construction work should be in accordance with relevant British Standards and best management practices.
- 5.6 HCC Historic Environment advise that no development should take place on site until a program of archaeological investigation has been agreed.
- 5.7 HCC Minerals and Waste advise that the applicant states that a SWMP Sustainable Waste management Plan is to be provided and suggest that this is conditioned. In addition they are pleased that the applicant has confirmed that sand and gravel excavated during construction will be used where possible on site to reduce use of external resources and in accordance with policy.
- 5.8 Hertfordshire Ecology advise that Biodiversity Metric calculations have been submitted for phases one and two along with a

Biodiversity Impact Report. The submitted information indicates that there will be a net loss of Biodiversity Units in Phase 1 and a net increase in Biodiversity units in Phase 2. For the two phases there is predicted to be a net habitat gain of 4.42%. This is below the minimum 10% expected and they advise that this is not acceptable.

- 5.9 EHDC Environmental Health Advisor does not wish to restrict development at the site subject to the imposition of conditions.
- 5.10 Herts Police Crime Prevention Advisor confirms that following the submission of amendments he is now in a position to partially support the application and would provide full support if the applicant were to seek to achieve Secured By Design standards.
- 5.11 EHDC Housing Development Advisor notes that the development achieves 40% affordable housing, and appropriate shared ownership and affordable rent split. However she would prefer to see fewer 2 bed flats as the greatest need for 2 bed is for families with small children and houses with gardens would be more appropriate.
- 5.12 EHDC Conservation and Urban Design Advisor raises no objection to the proposals following the submission of amendments which have addressed the majority of earlier concerns raised. Considers that careful thought has been given to legibility, passive surveillance and placemaking and that the overall design is acceptable, subject to landscaping and materials conditions.
- 5.13 EHDC Tree and Landscape Officer advises that there will be no overall adverse impact on trees and that the layout is acceptable in terms of the street frontage along Cambridge Road, and that existing trees and grassed area incorporated into the proposals contribute to the green infrastructure. In addition there are acceptable levels of private garden provision across the site. However several aspects of the layout particularly with regard to the parking and garage positions, parking courts and lack of space for meaningful soft landscaping are unacceptable.

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

6.0 Town/Parish Council Representations

- 6.1 Sawbridgeworth Town Council comments are summarised as:
- 6.2 It is clear that the application is contrary to a number of policies contained within the adopted District Plan.
- 6.3 The application does not acknowledge or take into account the consultations and advice given regarding future proofing of the development. It is incumbent upon the LPA to insist on the development conforming to the stated aspirations of EHDC as stated in the adopted District Plan 2018.
- 6.4 It is particularly noted that there is no sustainability and energy statement submitted as part of the planning application. This is regarded as an essential aid to monitoring the quality and suitability of any construction.
- 6.5 It is clear from the numerous detailed comments made by many members of the public submitted independently from those gathered by the Town Council at the public consultations that have been held over the past months that there is considerable concern and unease at the nature and scale of this hybrid application.
- 6.6 In particular the cumulative impact on the neighbourhood of this application and the other applications that can be anticipated as a result of the District Plan will irrevocably damage the nature of the area.
- 6.7 Therefore the Town Council Objects to the planning application.
- 6.8 The Town Council's full response is attached as **Appendix A**.

7.0 Summary of Other Representations

7.1 562 neighbouring properties were written to 44 responses were received. The concerns objections and comments raised are summarised as follows:

- This is the wrong location for this number of dwellings.
- Traffic and highway issues. – Cambridge Road is already over congested and at standstill at peak times, this development together with the others approved will make matters worse, and exacerbate safety issues for pedestrians including school children. There are errors in the Travel Plan and Transport Assessment and inadequate mitigation has been provided. The site is too far away from the village facilities and train station, people will not walk but will take their cars.- Sawbridgeworth bypass is needed before any more development is approved.
- Infrastructure- There are inadequate school places; doctors and dentists can't cope with current numbers, this will make things worse. Inadequate parking available within the village to cope. Concern over adequacy of sewerage and drainage facilities. Cumulative impact has not been taken into account.
- Air quality – There is already poor air quality in the vicinity due to traffic congestion, this will make it worse, particularly impacting Children walking to school.
- Loss of Green Belt and open land to the detriment of the character of the area.
- Unacceptable urban sprawl- concern that Sawbridgeworth, Bishops Stortford and Harlow will join up to become large conurbation.
- Loss of natural habitats, wildlife and landscape.
- Loss of area of open countryside recreation which will have detrimental impact on mental and physical health.
- Harm to the character of the village as it will grow too rapidly and new people will not integrate.
- Poor design and layout creating poor living environment out of keeping with the village, and will have a negative visual impact.
- Harm to the quiet serenity of the adjacent cemetery.

- Concern over noise and light pollution.
- Concern over noise and disruption during construction.
- Masterplan has not been produced so local people have not had a chance to be involved.
- Just a money making project for greedy people.
- Concern about loss of Northfield House, is it not listed.
- Documents submitted in support of the application are full of errors and can't be relied on.
- Development should provide housing to meet needs of local elderly who need appropriate housing, this would free up family houses in the area.
- If the density of phases 1 and 2 continues into Phase 3 then it will far exceed the numbers planned for.
- The number of houses required by the District Plan has already been exceeded therefore there is reduced need for this development.

8.0 Consideration of Issues

Principle of Development

- 8.1 The objections of residents and Sawbridgeworth Town Council to the principle of the development are noted. However, the site forms part of the development strategy in the District Plan as detailed in Policies DPS1, DPS2 and DPS3 and Sawbridgeworth Policies SAWB1 and SAWB4.
- 8.2 The overall SAWB4 allocation is for around 200 dwellings and it is acknowledged that the current proposals for just two thirds of the site could result in 184 dwellings which means that there is potential, when phase 3 comes forward, for a significantly greater number than 200 to be provided overall. If the same density were to be continued into Phase 3 the scheme would result in potentially around 250 dwellings on the site (a 25% increase over the allocation) However, the masterplan framework indicates that phase 3 is to be largely of a lower density as it is to provide a softer edge to the northern side of the development where it abuts the Green Belt.

- 8.3 The suitability of the additional development on phase 3 will be assessed as and when such an application is submitted, but it is not considered that the amount of dwellings proposed within phases 1 and the two is excessive. The density of about 30 dwellings per hectare is considered appropriate to this location, and in the absence of any particular harm being identified as a result of the uplift it is not considered that the development could be resisted on this basis.
- 8.4 The principle of the development is therefore established in the District Plan development strategy and this should be attributed significant positive weight.

Master planning

- 8.5 Policy DES1 of the District Plan provides that all significant proposals will be required to prepare a Master Plan setting out the quantum and distribution of land uses, sustainable high quality design and layout principles, necessary infrastructure, the relationship between the site and adjacent land uses, landscape and heritage assets and other relevant matters.
- 8.6 The master planning process for the site originally commenced in 2017 at the same time as that for the SAWB2 and SAWB3 sites, but unfortunately stalled in 2018. The masterplan process recommenced in 2019 and involved meetings with the Sawbridgeworth Steering Group and review by the Hertfordshire Design Review Panel.
- 8.7 The Masterplan Framework submission was approved by the Council on 23rd October 2019 as a material consideration for development management purposes. The application proposals are in accord with the development design concept outlined in the Master Plan Framework.

- 8.8 The early delivery of this strategic housing site and the conformity of the application with the design principles established in the Master Plan carry significant positive weight.

Layout, Design and Appearance

- 8.9 The overall layout detailed for Phase 1 broadly mirrors the design concept formulated during the master planning process and the Master Plan Framework adopted by the Council on 23rd October 2019.
- 8.10 The main access remains in the position of the existing access, and there are significant junction improvements proposed including a dedicated right turn lane. Houses adjacent to Cambridge Road, face towards the road rather than turning their back to it, but will have parking and vehicular access to the rear. The secondary, northern access is also to be maintained and will serve a small cul de sac of dwellings.
- 8.11 The existing trees within the centre of the site provided the basis for the location of the open space, which will be the main placemaking feature of the site. An L shaped area of open space is proposed, through the central area of the site, which enables the main existing tree groups to be maintained and the existing right of way from the boundary with Marlands to the access track to be maintained. An area of informal play is proposed within the southern area of this open space.
- 8.12 The built development would be predominantly 2 storey in height with some dwellings having accommodation within the roofspace. A part three storey apartment block is proposed at the southern side of the site towards the existing built up area and a single pair of part 3 storey semi-detached properties is proposed overlooking the main open space in the centre of the site, as feature properties.

- 8.13 The proposed dwellings generally are of traditional external design and appearance reflective of the predominant traditional architecture around Sawbridgeworth. The designs provide variety, and subject to suitable materials being agreed will present a pleasant, good quality environment.
- 8.14 The nearest properties to the south in Marlands are on lower ground and the relationship between these properties and the proposed development has been amended in the course of the application to ensure that there is no significant loss of privacy or overshadowing of the existing properties. Properties in Queen’s Close have rear elevations facing towards the site, and instead of looking out over fields will have the rear of two storey dwellings. However the scheme shows that there will be in excess of 30 metres between the two rear elevations which is in excess of normal back to back distances and this relationship is appropriate.
- 8.15 Whilst the apartment block lies close to the southern boundary, it drops down to two storey height where it is closest to existing properties and it will not result in excessive loss of light or privacy to the existing residents.
- 8.16 To the immediate north of the site there are some two storey residential properties, however these are separated from the site by a substantial tree screen (outside the application site) and it is not considered that they will be significantly impacted by the development.

Housing and affordable housing

- 8.17 The proposal is to provide 40% affordable housing in compliance with policy.
- 8.18 In Phase 1 the mix proposed mix is as follows:

Market housing

Type	Number	%
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One bed flat	0	0
Two bed flat	0	0
Two bed house	8	15
Three bed house	12	23
Four bed house	25	49
Five bed house	6	12
Total	51	

Affordable housing

Type	Number	%
One bed flat	3	9
Two bed flat	7	20
Two bed house	15	44
Three bed house	8	25
Four bed plus house	1	3
Total	34	

- 8.19 Whilst the unit mix proposed do not fully accord with the SHMA, phase 1 of the development does achieve the full 40% affordable units required by policy. In addition the mix has been amended in the course of the application to increase the proportion is 2 bed houses to help address an identified local need for houses suitable for accommodating families with children. It is considered the current proposed split, which has responded in part to the comments of the Councils' Housing Strategy Officer, is acceptable, particularly as there is scope to further address the SHMA imbalance within phase 2 of the development.
- 8.20 The affordable units are appropriately split between Social Rent and Intermediate housing.
- 8.21 The affordable units are located in 3 clusters in different parts of the site and are designed to be tenure blind in accordance with policy. The Housing Officer has concern that the only flatted units within phase 1 are affordable units, implying that they are therefore not

tenure blind, however the submitted indicative mix for phase 2 does include private flatted units.

- 8.22 All properties are designed to meet Building Regulations standard M4(2) Category 2 Accessible and Adaptable dwellings, and 3 of the proposed affordable units (including a 3 bed family home) are designed to meet the Lifetime Homes Building Regulations Standard M4(3) for wheelchair access in accordance with policy HOU7 of the adopted District Plan.
- 8.23 The provision of affordable housing to help meet the housing need of the District is accorded some weight in favour of the development.

Highways and Parking

- 8.24 The application is supported by a Transport Assessment, the methodology for which was agreed with the Highway Authority via a number of pre application meetings and scoping notes prior to the submission of the application. The site access is proposed from Cambridge Road which is designated as the A1184 classified main distributor road and is subject to a speed limit of 40 mph along the point of access. The Highway Authority has confirmed that they are satisfied in principle with the access details.
- 8.25 The internal layout of the roads within phase 1 of the development proposals accord with the requirements of the Highway Authority and allow for access by the 10.5m fire tender and the 12.1m Waste Collection vehicle that are currently used within Hertfordshire. The main access road is also of sufficient width to accommodate the boat transporter that may need to utilise it to access the river to the east. The gradients of the proposed roads within the site are appropriate with a maximum gradient of 1:20 along the main access corridor.
- 8.26 With regard to public transport, the nearest bus stops to the site are proposed to be provided either side of Cambridge Road such that all dwellings will be within 400m of a bus stop complete with an

informal pedestrian crossing with dropped kerbs, tactile paving and a central refuge island. The bus stops are served by route 508, 509 and 510 bus services, which currently serve the Cambridge Road Corridor and will provide public transport connectivity between the site, Sawbridgeworth town centre and Harlow to the South and Bishops Stortford and Stansted Airport to the North.

- 8.27 Frequent rail services are available from Sawbridgeworth Station approximately 1.1 miles south east of the site. These services operate to Stansted Airport and Cambridge North and south to Harlow, Stratford and London Liverpool Street. Services from Cambridge North to Liverpool street typically operate hourly (although there are additional peak period trains). Services from Bishops Stortford to Stratford typically operate every 30 minutes.
- 8.28 Links are provided throughout the site creating a pedestrian network which connects with the existing shared use path on Cambridge Road and the Public rights of way through and adjacent to the existing site. The pathways provide good links to the proposed bus stops and to local services. It is proposed to widen the footpaths outside the site on Cambridge Road.
- 8.29 There is limited cycling specific infrastructure in Sawbridgeworth with most routes being made up of quiet streets. National Cycle route (NCR11) starts adjacent to the Leventhorpe School. This provides a traffic free cycle route between Sawbridgeworth and Spellbrook which will be improved as part of this application.
- 8.30 A Framework Travel Plan has been submitted which sets out overall targets and indicators for the site and a full travel plan and monitoring to ensure continued encouragement and promotion of sustainable transport can be secured by condition and Legal Agreement.
- 8.31 The likely increase in trip generation as a result of the development has been assessed and although there will clearly be an increase in traffic movements, the likely peak time movements in the morning 08:00 to 09:00 will be around 92 and in the evening around 121,

which is an average of just 2 additional vehicle movements on the adjacent road network per minute during the peak travelling times. The Highway Authority has confirmed that this would not be considered to have a “severe” impact.

- 8.32 Significant improvements to the local highway network have already been secured through the developments approved for SAWB2 and SAWB3 and as such the main focus for SAWB4 is towards funding improvements to walking and cycling links as identified by the Highway Authority within the Sawbridgeworth Local Cycling and Walking Plan. Section 106 contributions are requested to achieve this and this is covered at the end of this report.
- 8.33 With regard to parking, most properties would have on plot parking, usually including either a garage or car port, however some parking courts are also proposed along with some individual visitor parking spaces.
- 8.34 The Council’s updated parking standards suggest that for the mix of dwellings proposed in Phase 1, 208 spaces should be provided, although a reduction of up to 25% can be acceptable. In this instance however the submitted scheme would provide a total of 217 spaces, slightly above the requirement. This is 200 allocated spaces for residents and an additional 17 unallocated spaces 16 of which are for visitors and one is to allow parking in connection with servicing the proposed electricity sub-station.
- 8.35 Given that the internal roads within the site are shared surfaces with limited scope for on street parking the inclusion of specific visitor spaces is welcomed and should help prevent inappropriate or inconsiderate parking within the development.
- 8.36 3 disabled spaces are included in connection with the proposed wheelchair accessible units.
- 8.37 Covered secure cycle storage facilities are proposed for every dwelling and electric vehicle charging points are proposed in accordance with policy and this can be secured by condition.

8.38 Overall the proposed access, parking and transport provision and mitigation measures are considered to meet policy requirements and this carries neutral weight in the consideration of the application.

Healthy and Safe Communities

8.39 One of the Council's priorities is to improve the health and wellbeing of residents and all new developments need to ensure that there is adequate provision for open space, recreation, walking and cycling, sport and recreation and community facilities.

8.40 The proposed development includes the provision of open space within phase 1 including a small informal Local Area of Play (LAP). However it is considered that given the scale of the overall allocation and the fact that the nearest LEAP is not particularly accessible, there is a need for improved play provision including for older children. However at this stage the best location for such facilities has not been fully explored and may include additional funding to existing facilities, if improvements to access can be achieved, as well as some provision within Phase 2.

8.41 It is considered that a condition requiring submission of a full play strategy to be submitted with the reserved matters application for phase 2 will ensure that the issue is appropriately addressed.

8.42 There is no requirement within the SAWB4 Policy or the approved masterplan for any sporting or community facilities to be provided within the allocation. However, given the increased pressure that residents of the proposed development will place on facilities it is necessary to secure appropriate payments towards the provision or improvement of such facilities. This can be achieved through Section 106 contributions. Utilising the Councils recently adopted Open Space Sport and Recreation SPD as the basis for calculating contributions, the applicants have agreed to provide the required contributions as set out at the end of the report.

- 8.43 In addition, increased population will inevitably place additional strains of the NHS and they have requested contributions towards local primary care/GP provision. In this case (as with both SAWB2 and SAWB3) the monies are to go towards the expansion of Central Surgery in Sawbridgeworth.
- 8.44 Contributions are calculated based on the number of properties and sometimes the number of bedrooms of the units proposed. Whilst these figures are known for Phase 1 of the development it should be noted that the outline application for phase 2 is for “up to” 99 units, so could potentially be fewer, and no details other than access are to be agreed at this stage, therefore the full contribution level for phase two cannot yet be calculated. The formula for calculating the contributions will however be included in the Section 106 agreement to ensure appropriate contributions will be made.

Climate Change, flood risk and sustainable Drainage

- 8.45 The application was supported by a flood risk assessment and drainage details however the Lead Local Flood Authority raised a significant number of concerns and additional details have been provided and reassessed in the course of the application. The details now submitted demonstrate that the scheme can achieve the required sustainable drainage and will neither be at risk of flooding nor increase the risk of flooding elsewhere.
- 8.46 Sustainable drainage including the provision of swales within areas of open space, are integral to the design of the development. The LLFA has now confirmed that the proposals are acceptable subject to conditions, and take into account climate change.
- 8.47 Having regard to climate change adaption and mitigation (Policies CC1 and CC2) and the building design requirements of Policy DES4, the application is supported by sustainability details within the Design and Access statement and as the application was registered before the requirement for a sustainability statement became part of the Council’s validation requirements, additional information was requested in the course of the application. The developer has, now

provided a Sustainability Statement, an Energy Statement and a copy of Countryside Homes Social Value and Sustainability Policy.

8.48 The development is led by a fabric-first approach, to reduce energy need over the lifetime of the home which includes recycled materials where possible to reduce the embodied carbon impact. In addition the proposals include amongst other things:

- Energy efficient lighting.
- Low and reduced water demand fittings, to limit usage to 110L of water per person per day.
- Infrastructure to install car charging points facilitated for every property.
- High efficiency combi boilers.
- Zoning temperature controls.
- Efficient use of materials and use of recycled materials
- All white goods to be rated 'A' or higher.
- Site waste management plan throughout construction.
- Water butts in gardens.
- Free bus tickets as per the proposed Section 106 agreement to encourage sustainable travel.
- Implementation of a Travel Plan.

8.49 Policy CC2 of the Local Plan requires that all new development should demonstrate how carbon emissions will be minimised across the development site, and advises that "achieving standards above and beyond the requirements of the Building Regulations is encouraged". The submitted Energy Statement indicates that phase one of the development will achieve at least a 3.5% reduction in CO2 over and above the current Building Regulations Part L1A requirement. A condition is proposed to ensure that this is achieved on site. With regard to Phase 2, as the design and layout of the dwellings is not yet known, no figures can be produced, but the developer has committed to ensuring that Phase 2 will similarly achieve at least a 3.5% reduction in Carbon Emissions over the current Building regulation requirements. Again it is proposed that this be secured by condition.

- 8.50 In the absence, at present, of any adopted sustainability guidance, it is considered that the information provided is sufficient to demonstrate that the proposals are in compliance with the climate change policies within the adopted District Plan. This carries neutral weight in the consideration of the application.

Contamination and Pollution

- 8.51 The development has been identified as likely to impact on air quality in an Air Quality Management Area (AQMA) and the submitted Air Quality Assessment report identifies that the full development (phases 1 and 2) will have an impact on NO₂ concentrations within the Sawbridgeworth AQMA No 3 London Road. These figures however do not take into account the impact of the proposed travel plan and contributions towards improvements to walking and cycling which are proposed together with the provision of electric vehicle charging points and it may be that these elements would be sufficient to offset the small increase that is predicted. A condition is suggested to secure further information and if necessary to identify further mitigation measures to ensure that there is no worsening of air quality as a result of the development.
- 8.52 EHDC Environmental Health officer raised concern with regard to traffic noise levels within gardens of 2 of the properties proposed adjacent to Cambridge Road which will be above recommended levels but given the relative proximity of open space within the scheme, (about 50m from the affected dwellings), is content that there is suitable access to quiet open space in accordance with guidance and therefore this would not warrant refusal of the application.
- 8.53 Conditions relating to construction management, contaminated land and noise mitigation are recommended.

Historic Environment

- 8.54 The site falls within an area of significant potential for archaeological finds and HCC Historic Environment Officers requested that trial trenching be carried out prior to the determination of the application. This work was carried out and a report submitted in support of the application.
- 8.55 The study identified scattered archaeological remains from several time periods. Advice from HCC is that although these remains are of local importance, they are not of sufficient interest to warrant insisting on amending the masterplan document to avoid the deposits. Rather a condition is suggested to secure trial excavations post approval but prior to commencement of development to ensure that suitable recording takes place. This condition is included within the recommendation.
- 8.56 There are no listed buildings within the site, but to the north west side of the site there is the 16th-17th Century Grade II listed Three Mile Pond Farmhouse and its associated listed outbuildings. Whilst the development clearly encroaches closer to these buildings, they are very much within their own enclave and as a result it is not considered that there will be any significant adverse impact on their setting from the development.
- 8.57 Some concern has been raised by neighbours with regard to the demolition of Northfield House within the site: this property is not listed or locally listed, and whilst a relatively attractive dwelling, its loss is considered acceptable in order to achieve the best use of the land in accordance with policy.
- 8.58 The lack of any identified harm with regard to the historic environment carries neutral weight in the planning balance.

Natural Environment

- 8.59 With regard to the natural environment, the application was supported by a full tree survey, a landscape impact assessment,

phase 1 habitat survey and a phase 2 habitat survey with associated species specific surveys and in addition a Biodiversity Metric, as required by policy. Throughout the masterplan and application process the intention has been to minimise impact on existing habitats and species, ensure a net increase in biodiversity within the development as a whole, maintain green infrastructure, and established trees, hedgerows and green corridors.

- 8.60 The submitted Phase 1 Habitat Survey assesses the potential impact of the development on International, National and locally designated Nature Conservation Sites and on non designated features of Nature Conservation Interest.
- 8.61 There are no European Designated Sites within 10Km but there are 5 Statutory Designated Sites within 5km including Sawbridgeworth Marsh which is a Site of Special Scientific Interest (SSSI) which lies within 400m to the east of the site. In addition there are 11 Local Wildlife Sites within 2km. (5 of which are within 1km.) No habitats of Principle Importance were found within the site.
- 8.62 With regard to protected species, bat and reptile surveys were carried out and one of the buildings to be demolished was found to be a bat roost and 4 trees were found to have some limited potential to be bat roosts. Demolition of the building will need to be carried out under a European Protected Species Mitigation Licence and mitigation and compensation measures are required and mitigation is also proposed with regard to the felling of trees.
- 8.63 The reptile survey discovered a low population of slow worm and common lizard on site and translocation and mitigation measures are proposed. In addition precautionary mitigation is to be provided for nesting birds, foraging/commuting badgers, hedgehogs and brown hares.
- 8.64 Policy requires that new developments demonstrate a net gain in biodiversity where it is feasible and proportionate to do so. The applicants have provided a Biodiversity Metric for each phase of the development, this indicates that whilst there will be a net loss of

habitat units as a result of phase one, a significant habitat gain can be achieved in phase 2 to result in a reasonable net gain, over the two phases, of 4.42%. Whilst this is below the 10% that the Hertfordshire Ecology advisor is seeking, as yet this is not a policy requirement and cannot be required.

- 8.65 Conditions are proposed to ensure that the mitigation measures and the overall net biodiversity gain predicted are fully achieved and maintained in accordance with policy.

Infrastructure/Planning Obligations

- 8.66 Infrastructure requirements as a result of the development have been assessed and the following contributions have been identified as necessary to make the development acceptable in planning terms.

HCC Requirements:

- Primary School Provision - financial contributions towards Mandeville School expansion, £2,347,823
- Secondary School provision - £426,032. To Leventhorpe School Expansion
- Early Years provision £85,507 To High Wych Pre School.
- Library Contribution £30,316 to Sawbridgeworth library
- Youth Contribution £8,078 To the Bullfields Centre
- Highways Sustainable Transport Contribution £200,625 towards projects within the Sawbridgeworth Local Cycling and Walking Plan.
- Bus pass Contribution as part of Travel Plan package £53,354
- Travel Plan Monitoring Contribution £6000

- 8.67 In addition a S278 agreement with the County will secure the highway works and junction improvements set out within the application.
- 8.68 The NHS has requested £130,235.79 towards GP provision (Central Surgery Sawbridgeworth)
- 8.69 In addition draft contributions required for EHDC for the combined phases are as follows:
- Recycling and refuse Container Provision for new residents £10,174
 - Sports hall Contribution to Leventhorpe Leisure Centre and/or Grange Paddocks Leisure Centre £79,823
 - Swimming pool contribution £85,183 to Leventhorpe Leisure Centre and/or Grange Paddocks Leisure Centre.
 - Health and Fitness Contribution £32,667 to Leventhorpe Leisure Centre and or Grange Paddocks Leisure Centre.
 - Community Buildings Contribution £69,243 to the Bullfields Centre.
 - Playing Pitches contribution £17,421 to Sawbridgeworth Town FC

9.0 Planning Balance and Conclusion

- 9.1 The proposals will deliver up to a maximum of 184 dwellings as part of the adopted District Plan strategy, including 40% affordable units this carries significant positive weight.
- 9.2 Overall, it is considered that the design of the layout and buildings within Phase one is policy compliant, the drainage strategy provides for the use of good quality SuDS. A fabric first approach is taken to

reducing CO2 emissions and appropriate levels of water usage will be achieved.

- 9.3 The development provides satisfactory access and parking and the required highway mitigation levels such that the highway implications of the development are considered to be neutral.
- 9.4 Subject to conditions and mitigation appropriate ecological enhancements, can be achieved for the development overall and this carries neutral weight.
- 9.5 The housing mix proposed within phase 1 is considered acceptable and the mix within phase two will be determined within the reserved matters application.
- 9.6 The proposal delivers appropriate levels of financial contributions towards infrastructure and this carries neutral weight.
- 9.7 Overall on the balance of considerations, the proposals are considered to provide a sustainable form of development in accordance with planning policy.

RECOMMENDATION

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

That delegated authority be granted to the Head of Planning and Building Control to finalise the detail of the Legal Agreement, the contributions to be contained therein and conditions.

Draft Legal Agreement

Financial contributions set out below have been calculated based on the number and mix of dwellings proposed for phase 1 of the development plus the indicative housing number (99) and mix that has been suggested for phase 2. As such the final level of contributions may change if the number and or size of dwellings and composition within phase 2 changes

during the reserved matters process. However the formulae for calculating the figures will be set within the legal agreement. In addition it should be noted that the figures quoted here are based on cost calculated at specific points in time and need to be index linked to differing indexes at the time that the agreement is signed. The relevant indexation tables will be included within the Section 106.

- The provision of 40% affordable housing 84% affordable rent in and 16% intermediate affordable housing.
- Primary School Provision - financial contributions towards Mandeville School expansion, £2,347,823
- Secondary School provision - £426,032. To Leventhorpe School Expansion
- Early Years provision £85,507 To High Wych Pre School.
- Library Contribution £30,316 to Sawbridgeworth library
- Youth Contribution £8,078 To the Bullfields Centre
- Highways Sustainable Transport Contribution £200,625 towards projects within the Sawbridgeworth Local Cycling and Walking Plan.
- Bus pass Contribution as part of Travel Plan package £53,354
- Travel Plan Monitoring Contribution £6000
- Provision of Fire Hydrants
- NHS £130,235.79 towards GP provision (Central Surgery Sawbridgeworth)
- Recycling and refuse Container Provision for new residents £10,174
- Sports hall Contribution to Leventhorpe Leisure Centre and/or Grange Paddocks Leisure Centre £79,823

- Swimming pool contribution £85,183 to Leventhorpe Leisure Centre and/or Grange Paddocks Leisure Centre.
- Health and Fitness Contribution £32,667 to Leventhorpe Leisure Centre and/or Grange Paddocks Leisure Centre.
- Community Buildings Contribution £69,243 to the Bullfields Centre.
- Playing Pitches contribution £17,421 to Sawbridgeworth Town FC

Draft Schedule of Conditions

1. Three Year Time Limit

The part of this development (Phase 1) for which full planning permission has been granted 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 and to ensure the timely implementation of the development in accordance with Policy SAWB4 of the East Herts District Plan 2018.

2. Approved plans

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. Outline permission time limit - OUTLINE

Applications for the approval of the Reserved Matters (Phase 2) shall be made to the Local Planning Authority not later than 3 years from the date of this permission. The development hereby permitted in Outline form shall be begun not later than 5 years from the date of this permission, or not later than two years from the date of approval of the last Reserved Matters, whichever is the later.

Reason: To prevent the accumulation of unimplemented permissions, to comply with the requirements of Section 92 of the Town and Country Planning Act 1990 (as amended) and to ensure the timely implementation of the development in accordance with Policy SAWB4 of the East Herts District Plan 2018.

4. Details of Reserved Matters

No development, in relation to that part of the site for which Outline planning permission is granted, apart from enabling works, earthworks and access works, shall commence before detailed plans showing the layout, scale and external appearance of the buildings to be constructed and landscaping to be implemented (hereinafter referred to as "the Reserved Matters") on that part of the site have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.

Reason: To comply with the requirements of section 92 of the Town and Country planning Act 1990 and the provisions of the Town and Country Planning (Development Management Procedure) Order 2015 and to ensure that high standards of urban design and a comprehensively planned development are achieved in accordance with the NPPF.

5. Play Strategy

Concurrent with the submission of reserved matters details a play strategy document shall be submitted to demonstrate how adequate play provision can be provided is best achieved for the site to meet the needs arising from the development as a whole. The Play Strategy, and will include provision of at least a 400sqm LEAP within the site, rising to 600sqm in the event that the Play Strategy can not secure improvement to existing local play facilities and pedestrian routes to them sufficient to offset the shortfall within the site.

Reason: To ensure adequate play provision to best meet the needs of all age groups taking into account existing facilities in the area

and ease of access to it in accordance with the adopted East Herts Open Space, Sport and Recreation SPD May 2020.

6. Tree/hedge retention and protection

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

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

7. Broadband Infrastructure

Each dwelling within the development hereby approved shall be provided with high speed broadband infrastructure in accordance with the submitted details and timetable, (Phases 1 and 2 BT FTTP Provision) such that it is available for use on first occupation of the property 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.

8. Electric Vehicle Charging Points

Prior to the commencement of any Phase of the development hereby permitted details of the installation of and measures to facilitate the provision of electric vehicle charging points to that phase 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.

9. Materials of construction

Prior to any above ground construction works being commenced on a phase of development the external materials of construction for the buildings on that phase 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.

10. External Lighting Details

Prior to the installation of external lighting in connection with the development, details of any lighting shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

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

11. Withdrawal of P.D. (Part 1 Classes A, AA and B)
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 dwellinghouse, additional storeys, and alterations to the roof as described in Schedule 2, Part 1, Classes A, AA and B 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.

12. Retention of parking space
Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, or any amending Order, the areas shown for parking on the approved plan(s) shall be retained for such use.

Reason: In the interests of highway safety, in accordance with Policy TRA3 of the East Herts District Plan 2018.

13. Vehicular use of garage
The garage(s) hereby approved shall be used for the housing of private vehicles solely for the benefit of the occupants of the dwelling of which it forms part and shall not be used as additional living accommodation or for any commercial activity.

Reason: To ensure the continued provision of off-street parking facilities and to protect neighbour amenity in accordance with Policies TRA3 and EQ2 of the East Herts District Plan 2018.

14. Cycle Storage
The cycle storage facilities for each dwelling shown on the approved plans shall be provided prior to the occupation of each dwelling to which they relate and shall thereafter be retained.

Reason: To ensure adequate provision for cycle storage in the interests of sustainable transport in accordance with policy TRA1 of the East Herts District Plan 2018

15. Air Quality

No occupation of any dwellings within phase 2 of the development hereby approved in outline shall take place until a scheme identifying mitigation measures (and a timetable for their implementation) to ensure that air quality within the Sawbridgeworth Air Quality Assessment Zone is not adversely impacted by the development, has been submitted to and approved in writing by the Local Planning Authority. The approved mitigation measures shall then be fully implemented in accordance with the agreed timetable.

Reason: To ensure that there is adequate mitigation for any breach of Air Quality Objectives that may arise as a result of the development, in accordance with Policy EQ4 of the adopted East Herts Local Plan 2018.

16. Low NOx Boilers

As outlined in the application boilers being used on site shall be highly efficient low NOx boilers, and emissions should be no more than 40mgNOx/kWh.

Reason: To protect the Sawbridgeworth AQMA and to promote sustainable air quality levels for residents in accordance with policy EQ4 of the adopted East Herts District Plan 2018.

17. Wildlife Site Mitigation

Prior to first occupation of any dwelling within the development details of signage to be located adjacent to the footpath linked to the access to the River Stort and of a leaflet to be provided to all new residents shall be submitted to and agreed in writing by the Local Planning Authority. The signage and leaflet are to provide information/interpretation of the high value of the local meadows for biodiversity and to request that dogs are kept under control at all times and on a lead between April and July inclusive to help

protect ground nesting birds. The agreed signage shall be erected prior to first occupation and thereafter retained and the agreed leaflet shall be provided to all new residents on occupation.

Reason: To mitigate potential impact from from increased visitor usage of sites of wildlife importance in accordance with policy NE1 of the East Herts Local Plan 2018.

18. Maintenance of streets

No occupation shall take place on a phase of development until full details have been submitted to and approved in writing by the Local Planning Authority in relation to the arrangements for future management and maintenance of the proposed streets within the development. (The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established).

Reason: To ensure ongoing maintenance in the interests of highway safety and amenity in accordance with policy TRA2 of the East Herts District Plan.

19. Travel Plan

Prior to first occupation of each phase of the development a Travel Plan following the principles set out in the submitted Travel Plan Framework shall be submitted to and agreed in writing by the Local Planning Authority. The agreed travel plan shall thereafter be implemented in full.

Reason: In order to achieve increased use of sustainable means of transport in accordance with Policy T1 of the East Herts District Plan.

20. Visibility Splays (Main access)

Prior to the occupation of the development visibility splays measuring 2.4 metres x 120 metres shall be provided to each side of the main access where it meets the highway of Cambridge Road and such splays shall thereafter be maintained at all times free from any

obstruction between 600mm and 2.0 m above the level of the adjacent highway carriageway.

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

21. Visibility Splays (minor roads)

Prior to the occupation of a dwelling in Phase 1 of the development, visibility splays measuring 2.4 metres x 36 metres shall be provided to each side of any access where it meets the principal access road and is required to access the dwelling. Such splays shall thereafter be maintained at all times free from any obstruction between 600mm and 2 metres above the level of the adjacent highway carriageway.

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

22. Visibility Splays (for driveways)

Prior to the occupation of Phase 1 of the development hereby permitted 0.65 metre x 0.65 metre pedestrian visibility splays shall be designed each side of the driveways. They shall be measured from the point where the edges of the access way cross the highway boundary, 0.65 metres into the site and 0.65 metres along the highway boundary therefore forming a triangular visibility splay. Within which, there shall be no obstruction to visibility between 0.6 metres and 2.0 metres above the carriageway.

Reason: To ensure construction of a satisfactory development and in the interests of highway pedestrian safety in accordance with Policy TRA2 of the East Herts District Plan 2018.

23. Prior to the occupation of the development hereby permitted, the vehicular accesses shall be provided and thereafter retained at the position as identified on drawing P0001 revision PL1 the principal access road shall be provided 5.5 metres wide. The kerb radii shall

be increased to 8 metres at the site entrance. 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 and avoid carriage of extraneous material or surface water from or onto the highway in accordance with Policy TRA2 of the East Herts District Plan 2018.

24. Access Gradient

Prior to first use the gradient of the main access shall not be steeper than 1 in 50 for the first 20 metres measured from the edge of the carriageway of Cambridge Road thereafter the gradient of the internal access roads shall be not steeper than 1:20.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policy TRA2 of the East Herts District Plan 2018.

25. Surface Materials

Prior to any above ground works within each phase of the development, details of all materials to be used in that phase for hard surfaced areas within the site, including roads, drainage details, driveways and car parking areas shall be submitted to the Local Planning Authority for approval in writing.

Reason: To ensure that internal roads, drainage and parking areas are built to Highway Authority standards and requirements in accordance with Policy 5 of the Hertfordshire Local Transport Plan 2018.

26. Cycle Route

Upon occupation of the 50th dwelling, the Phase 1 development shall provide a cycle route linking all areas of the development within the planning application redline boundary as shown on drawing numbers C00198-BRN-IG-XX-DR-C-8115-PL1 and C00198-BRN-IG-XX-DR-C-8116-PL1. The route should be detailed and

identified on a drawing showing appropriate hard surfacing, illuminated and with a minimum width of 3 metres where possible or shared use provision with a footway.

Reason: To ensure proper management of modal shift and encourage use of sustainable transport modes to travel within Sawbridgeworth and surrounding areas in accordance with Policy TR1 of the East Herts District Plan 2018

27. Archaeology

No development shall take place within any phase of 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, within that phase, which has been submitted to the planning authority and approved in writing. This condition will only be considered to be discharged when the planning authority has received and approved an archaeological report of all the required archaeological works, and if appropriate, a commitment to publication has been made.

Reason: To ensure proper investigation and recording of archaeology within the site in accordance with East Herts District Plan Policy HA3.

28. Noise Mitigation

None of the dwellings shall be occupied until the scheme of noise mitigation measures (glazing, ventilation measures and fencing / brick walls) detailed in "Sawbridgeworth Residential Noise Impact Assessment – Phase 1 and 2", Report reference 1620006476, Report 001, Revision 5, dated March 2020, by Ramboll has been implemented for that dwelling in accordance with the approved details and it shall be retained in accordance with those details thereafter.

Reason: In order to ensure an adequate level of amenity for nearby residents in accordance with policy EQ2 of the adopted East Herts District Plan 2018.

29. CEMP

Prior to the commencement of each phase of the development, a detailed Construction Environmental Management Plan (CEMP) for that phase, shall be submitted to and approved in writing by the Local Planning Authority, and the plan shall include the following:

- (a) The construction programme and phasing
- (b) Hours of operation, delivery and storage of materials
- (c) Details of any highway works necessary to enable construction to take place
- (d) Parking and loading arrangements
- (e) Details of hoarding
- (f) Management of traffic to reduce congestion
- (g) Details of any highway works necessary to enable construction to take place.
- (h) Details of site compound, parking and material storage areas.
- (i) Control of dust and dirt on the public highway.
- (j) Details of consultation and complaint management with local businesses and neighbours including contact details.
- (k) Waste management proposals
- (l) Mechanisms to deal with environmental impacts such as noise and vibration, air quality and dust, light and odour.
- (m) Details of any proposed piling operations, including justification for the proposed piling strategy, a vibration impact assessment and proposed control and mitigation measures.

All works shall be carried out in accordance with the approved CEMP thereafter.

Reason

In the interests of highway safety and the control of environmental impacts in accordance with policies TR2, DES4, EQ2 and EQ4 of the adopted East Herts District Plan 2018.

30. Site Waste Management Plan

Prior to the commencement of each Phase of the development, a detailed Site Waste Management Plan (SWMP) for that phase shall be submitted to and approved in writing by the Local Planning

Authority. The Site Waste Management Plan shall set out the following:

- a) Details of waste arising during both the site preparation, demolition and construction phases;
- b) Definition of the waste types;
- c) Whether waste is to be reused on the site or disposed from it, and the volumes being dealt with in these ways and the timing of waste disposal from the site;
- d) Where waste is being transported to, together with details of the waste carrier;
- e) The total volumes of waste created during enabling and construction works.

Once approved, the construction shall take place in accordance with the approved SWMP.

Reason: In order to minimise waste and ensure most sustainable disposal in accordance with policy CC2 of the East Hertford District Plan 2018.

31. Water Usage

Prior to the first occupation of the residential units, measures shall be incorporated within the development to ensure that a water efficiency standard of 110 litres (or less) per person per day is achieved.

Reason: The Environment Agency has identified this area to be particularly water stressed and a reduction in water usage and increased water efficiency are necessary in accordance with Policy WAT4 of the District Plan 2018.

32. Landscaping

Prior to first occupation of each phase of the development hereby approved, details of landscaping within that phase shall be submitted to and approved in writing by the Local Planning Authority and shall include full details of both hard and soft landscape proposals, finished levels or contours, hard surfacing

materials, retained landscape features, planting plans, schedules of plants, species, planting sizes, density of planting and implementation timetable and thereafter the development should be implemented in accordance with the approved details.

Reason: To ensure the provision of amenity afforded by appropriate landscape design in accordance with Policies DES3 and DES4 of the East Herts District Plan 2018.

33. Tree and Plant Replacement

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 and the NPPF.

34. Levels

Prior to any above ground development within each phase of development hereby approved (other than demolition) detailed plans showing the existing and proposed ground levels of the site relative to adjoining land, together with the slab levels and ridge heights of the proposed buildings for that phase, shall be submitted to, and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.

Reason: To ensure that the development is properly related to the levels of adjoining development in the interests of neighbour amenity and good design in accordance with Policy DES4 of the East Herts District Plan 2018.

35. LEMP

A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of each phase of the development. The content of the LEMP must detail how it will achieve ecological unit score) of a minimum of 0.56 habitat units (4.42% increase) across the two phases and shall include the following.

- a) Description and evaluation of features to be managed based on approved ecological assessment.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for establishment and management actions.
- f) Preparation of a work schedule - including an annual work plan to be applied in perpetuity.
- g) Details of the body or organisation responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: In accordance with policy NE3 of the East Herts District Plan 2018.

36. Contamination

The development within each phase of development hereby permitted shall not begin until a scheme to deal with contamination of land/ground gas/controlled waters has been submitted to and approved in writing by the local planning authority. The scheme for each phase shall include all of the following measures, unless the local planning authority dispenses with any such requirement specifically in writing:

- A Phase I site investigation report carried out by a competent person to include a desk study, site walkover, the production of a site conceptual model and a human health and environmental risk assessment, undertaken in accordance with BS 10175: 2011 Investigation of Potentially Contaminated Sites – Code of Practice.
- A Phase II intrusive investigation report detailing all investigative works and sampling on site, together with the results of the analysis, undertaken in accordance with BS 10175:2011 Investigation of Potentially Contaminated Sites – Code of Practice. The report shall include a detailed quantitative human health and environmental risk assessment.
- A remediation scheme detailing how the remediation will be undertaken, what methods will be used and what is to be achieved. A clear end point of the remediation shall be stated, and how this will be validated. Any ongoing monitoring shall also be determined.
- If during the works contamination is encountered which has not previously been identified, then the additional contamination shall be fully assessed in an appropriate remediation scheme which shall be submitted to and approved in writing by the local planning authority.
- A validation report detailing the proposed remediation works and quality assurance certificates to show that the works have been carried out in full accordance with the approved methodology shall be submitted prior to first occupation of the development. Details of any post-remedial sampling and analysis to demonstrate that the site has achieved the required clean-up criteria shall be included, together with the necessary

documentation detailing what waste materials have been removed from the site.

In the event that contamination is found at any time when carrying out the approved development, it shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment shall then be undertaken by a competent person, in accordance with 'Model Procedures for the Management of Land Contamination, CLR 11'. A written report of the findings should be forwarded for approval to the Local Planning Authority. Following completion of remedial measures a verification report shall be prepared that demonstrates the effectiveness of the remediation carried out. No part of a phase of development shall be occupied until all remedial and validation works are approved in writing.

Reason: To minimise and prevent pollution of the land and the water environment and in accordance with national planning policy guidance set out in section 11 of National Planning Policy Framework and in order to protect human health and the water environment in accordance with policies EQ1 and WAT2 of the East Herts District Plan 2018.

37. Maintenance of Communal Areas

Prior to the occupation of each phase of the development hereby permitted, details of the arrangements for the management and maintenance of all external communal areas for that phase shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include a plan identifying all external communal areas and equipment which are to be managed and maintained. Thereafter all such areas shall be managed and maintained in accordance with the approved details.

Reason: To ensure that all external communal areas within the development are managed and maintained to a suitable and safe standard in accordance with Policy DES4 of the East Herts District Plan 2018.

38. Flood Risk Assessment

The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment carried out by Brand Consulting dated June 2020 reference 11401-Rev 07 and associated appendices A- X, Surface Water Flood Management Cambridge Road Addendum carried out by Brand Consulting dated 23 July 2020 and amended drawing 8103 Revision PL7 carried out by Brand Consulting and the following mitigation measures detailed within the FRA:

1. Limiting the surface water run-off generated by the 1 in 100 year + climate change critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.
2. Limiting the overall discharge rate into the River Stort to 5l/s/ha
3. Providing the required attenuation through the implementation of SuDS across the site to manage the increase in surface water volumes as a result of the development as detailed on drawings 8103 Revision PL7 and 8104 Revision PL4 carried out by Brand Consulting
4. Providing a range of SuDS features across Phase 1 of the development through the implementation of permeable paving, highway swales, attenuation pond and 2 underground storage tanks as shown on drawing 8103 Revision PL7
5. Providing the required estimated attenuation within a regional control cascading swale as shown on drawing 8104 Revision PL4 for Phase 2 and the provision of the implementation of source control measures as part of the detailed drainage strategy for Phase 2.
6. Providing the required attenuation to manage the increase of impermeable areas as a result of works to Cambridge Road and the site access as shown on drawing D-P0005 PL1 carried out by Atkins, drawing 8103 Revision PL7 carried out by Brand Consulting and Surface Water Flood Management for Cambridge Road Addendum dated 23 July 2020 carried out by Brand Consulting.
7. Management of the outfall at the River Stort in agreement with Canals and River Trust as outlined within the assessed, the proposed outfall will be susceptible to tide lock situations which

will result in reduced flows at the outfall. During the need for maintenance of the outfall at these times, provision will be made for upstream / downstream twinned penstock controls, to allow operators, to safely drain the network (at the controlled rate) and bypass the outfall flap valve control to permit maintenance.

8. An additional online surface water treatment provision will be required by CRT in the form of a temporary online petrol interceptor to temporarily manage surface water run-off from all phases of development prior to the discharge into the River Stort. The purpose of the interceptor will provide additional resilience in the treatment management profile for the site once the permanent infrastructure works are established. 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 of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants in accordance with Policy WAT1 of the East Herts District Local Plan 2018.

39. Drainage

No development shall take place until the final design of the drainage scheme for Phase 1 including the works to Cambridge Road has been submitted to, and approved in writing by, the local planning authority. The surface water drainage system will be based on the submitted Flood Risk Assessment carried out by Brand Consulting dated 23 July 2020, drawing 8103 Revision PL7, drawing 8104 Revision PL4 and Surface Water Flood Management Cambridge Road dated 23 July 2020 carried out by Brand Consulting. The scheme shall also include:

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

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

2. Final design of the attenuation tanks should incorporate silt traps and appropriate pollution prevention methods.
3. Details regarding any areas of informal flooding (events those exceeding 1 in 30-year rainfall event), this should be shown on a plan with estimated extents and depths. Details of final exceedance routes, including those for an event which exceeds to 1:100 + cc rainfall event based on details proposals for the opening and diversion of the Main River.
4. Final design of the proposed discharge outfall into the River Stort.
5. Details of adoption and maintenance arrangements of the drainage scheme within Phase 1 including the residential area, Cambridge Road and spine road to the River Stort.
6. Details including the condition of the existing drainage infrastructure on Cambridge Road and how this will be managed and be incorporated into the required attenuation tank within the bus stop area and drainage infrastructure to manage the additional impermeable areas, discharge location and road levels including surface water flow paths.

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

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants in accordance with Policy WAT1 of the East Herts Local Plan 2018.

40. SuDS maintenance (Phase 1)
Upon completion of the drainage works for Phase 1 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 complete set of as built drawings including the final drainage layout for each phase for site drainage network.
2. Maintenance and operational activities for the period or the lifetime of the development.
3. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.

Reason: To reduce the risk of flooding to the proposed development and future users in accordance with Policy WAT1 of the East Herts Local Plan 2018.

41. Surface Water Management (Phase 2)

No development approved by this planning permission associated with Phase 2 shall take place until such time as a scheme to manage surface water run-off has been submitted to, and approved in writing by, the local planning authority.

The surface water drainage assessment and scheme should, as a minimum, include the following information:

1. A detailed surface water drainage strategy including a supporting statement on how the drainage scheme for Phase 2 complies with the approved FRA carried out by Brand Consulting dated June 2020 Revision 7 and associated approved drawings in particular drawing 8104 revision PL4.
2. Detailed surface water drainage layout drawings showing the location of all proposed SuDS features and associated drainage infrastructure. All drawings should be 'final'.
3. Details of on-site source control measures to demonstrate how the required surface water treatment train will be provided prior to the discharge through the regional controlled swale.
4. Detailed engineering drawings of all SuDS features including all dimensions and cross sections and discharge location into the Phase 1 drainage infrastructure. All drawings should be a final design.
5. Supporting surface water calculations for all rainfall events up to and including all rainfall events up to and including the 1 in 100 year + climate change event.

6. Demonstrate there will be no onsite flooding from surface water at and below the 1 in 30-year rainfall event. Any informal flooding above the 1 in 30 year up to the 1 in 100 year plus climate change event will need to be annotated on the drainage layout drawings showing its extents, depth and any flow paths based on the proposed site levels.
7. Assessment of exceedance surface water run-off should the drainage system surcharge for events above the 1 in 100 year + climate change event, showing exceedance flow paths on the proposed surface water drainage and development layout plan. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to reduce the risk of flooding to the proposed development and future users in accordance with Policy WAT1 of the East Herts Local Plan 2018.

42. SuDS Maintenance (phase 2)

Upon completion of the drainage works for Phase 2 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 complete set of as built drawings including the final drainage layout for each phase for site drainage network.
2. Maintenance and operational activities for the period or the lifetime of the development.
3. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.

Reason: To reduce the risk of flooding to the proposed development and future users in accordance with policy WAT1 of the East Herts Local Plan 2018.

43. CO2 Emissions

Phase one of the development hereby approved shall be carried out in accordance with the submitted sustainability statement and shall achieve a minimum of 3.5% reduction of CO2 emissions above 2013 Building Regulations requirements in accordance with the details set out within the submitted Energy and Sustainability Strategy by AE Sustainability Consultants dated August 2020.

Concurrent with the submission of reserved matters for Phase 2 of the development a sustainability and Energy Statement shall be submitted to the Local Planning Authority for approval in writing. The Sustainability and Energy Statement shall demonstrate how the development will achieve a minimum 3.5% reduction in CO2 emissions over the 2013 Building regulation requirements. Phase 2 shall then be completed in accordance with the agreed details.

Reason: To ensure that carbon dioxide emissions as a result of the development are minimised in accordance with policy CC2 of the East Herts Local Plan 2018.

Informatives

1. Justification Grant (JG4)
2. Other Legislation (1OL1)

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 (Phase 1)**

Residential Density -	Bed Rooms	No of Units
No of existing units demolished		1
No of Flat units	1	4
	2	6
No of Houses	2	22
	3	21
	4	26
	5	6
Total		85
Total Affordable	40%	

Parking Zone	4	
Residential unit size (bedrooms)	Spaces Required per unit	Spaces required (total)
1	1.5	4
2	2	56
3	2.5	52
4+	3	96
Total Required		208
Accessibility Reduction	25%	
Resulting Requirement		156
Proposed total Provision Phase 1		217 (200 allocated residents spaces 16 visitor spaces and 1 space adjacent to substation)