

DEVELOPMENT MANAGEMENT COMMITTEE – 28 MARCH 2018

Application Number	3/17/2216/OUT
Proposal	Outline application for 27 no. dwellings
Location	Land west of High Road, High Cross
Applicant	Caddick or c/o agent
Parish	Thundridge CP
Ward	Thundridge and Standon

Date of Registration of Application	27 September 2017
Target Determination Date	02 February 2018
Reason for Committee Report	Major application
Case Officer	David Snell

RECOMMENDATION

That outline planning permission be **REFUSED** for the reason set out at the end of this report.

1.0 Summary of Proposal and Main Issues

- 1.1 The application proposes a development of 27 dwellings on land to the west of High Road.
- 1.2 The site lies outside the designated village boundary of High Cross within the Rural Area Beyond the Green Belt.
- 1.3 The main planning issues relate to the balance between the beneficial aspects of the provision of housing and affordable housing weighed against any negative aspects arising from the development.
- 1.4 In environmental terms the proposal would encroach into the rural landscape, however, the harmful impact is considered to be limited.

- 1.5 The site is well related to the village core. However, the services that are available in the village are limited and future residents would be reliant on private transport to a large extent notwithstanding High Cross is relatively close to the main settlements of Ware and Hertford and the primary highway network and there is a connecting local bus service.
- 1.6 Overall, the positive aspects of the proposal are that it would provide housing and affordable housing. Negatively, the site lies outside the village boundary and the development would encroach into the rural area with some limited impact on the landscape.

2.0 Site Description

- 2.1 The site lies to the immediate west of High Road and comprises flat uncultivated agricultural land laid to grass.

3.0 Planning History

There is no planning history relating to the application site. However, the following local planning history is of relevance to this proposal:

Application Number	Proposal	Decision	Date
3/17/0251/FUL	Erection of 20 dwellings with associated parking, landscaping and access – Land at North Drive, High Cross	Refused Appeal lodged	June 2017 Decision Pending
3/13/2223/FP	High Road and rear of North Drive, High Cross. Demolition of The Bungalow, The Stables and Hazelwood Farm and the erection of 57 residential units together with access	Granted	November 2014

4.0 **Main Policy Issues**

- 4.1 These relate to the relevant policies in the National Planning Policy Framework (NPPF), the pre-submission East Herts District Plan 2016 (DP) and the adopted East Herts Local Plan 2007 (LP). The Thundridge Neighbourhood Plan has reached the stage area designation agreed in September 2017.

Main Issue	NPPF	LP policy	DP policy
The principle of the development	Paras 6-16	SD1 SD2 GBC2 GBC3 OSV1	INT1 GBR2 VILL2
Layout and design	Sections 6 and 7	ENV1 ENV2	HOU2 DES2 DES3
Landscape impact	Section 11	GBC14	DES1
Housing and affordable housing	Section 6	HSG1 HSG7 HSG3 HSG4	HOU1 HOU2 HOU3
Highways and parking	Section 4	TR2 TR7	TRA1 TRA2 TRA3
Flood risk	Section 10	ENV21	WAT5
Planning obligations and infrastructure delivery	Paras 203 to 206	IMP1	DPS4 DEL1 DEL2 CFLR1 CFLR3 CFLR7 CFLR9

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 do not wish to restrict the grant of planning permission, subject to conditions. They consider that the footpath on the west side of the High Road should be widened to 2.0m and that a pedestrian crossing point should be provided.
- 5.2 Lead Local Flood Authority comments that the drainage strategy is acceptable and that the proposed development is acceptable subject to conditions.
- 5.3 EHDC Conservation and Urban Design Advisor considers that a single point of access does not provide a permeable site layout and that multiple access points should be provided with buildings orientated towards the street. The application is submitted in outline and does not evidence that the site can support 27 dwellings in an acceptable layout.
- 5.4 EHDC Landscape Advisor considers that the proposed development gives rise to minor adverse landscape effects. The site is a logical extension of the existing settlement edge and mirrors the existing development along the opposite side of the highway. The site is well contained. The development results in the removal of some existing roadside hedgerow, however, its loss is compensated for with new hedgerow and tree planting that will benefit biodiversity. Overall the area from which there are actual public views of the proposed development is relatively well contained due to the screening effect of the existing settlement, and the screening effect of the intervening vegetation and sloping landform to the north and west. Views are fundamentally changed due to the introduction of a new housing development within a previously open field. However, providing that the proposed development is of a high quality design and materials, with robust integrated landscape measures, on balance this fundamental change is not deemed unacceptable in principle.

- 5.5 Herts Archaeology comments that the development is likely to impact on heritage assets with archaeological interest and recommend a condition requiring a programme of archaeological work.
- 5.6 Natural England do not wish to comment.
- 5.7 HCC Development Services request a financial planning obligation towards improvements to Ware Library.
- 5.8 EHDC Environmental Health Advisor comments that the site is close to a working farm and the application does not assess the impact of noise from the farm or land contamination.
- 5.9 EHDC Operational Services advise as to the refuse and recycling requirements for the proposed development.
- 5.10 Herts Police Crime Prevention Advisor does not wish to comment at this stage.

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

6.0 Town/Parish Council Representations

- 6.1 Thundridge Parish Council objects to the proposal for the following reasons:
- Inappropriate development in the Rural Area Beyond The Green Belt – outside of the Parish Boundary.
 - Highway safety concerns, including the proximity of the proposed junction to the High Road chicanes and proximity of the proposed junction to the school.
 - The development is unsustainable in High Cross. High Cross is currently classified as a Category 1 (relatively sustainable village) under Policy OSV1 (2007 Local Plan). The subsequent re-evaluation of the sustainability of the village, which has resulted in it being downgraded to a Group 2 village under

Policy VILL2 (District Plan 2011-2033) implies that it is only suitable for limited infill development.

- Cumulative impact on a (pending) Group 2 village must be taken into account from a sustainability perspective. The village has already undergone a recent expansion of 62 houses (including Canterbury Park) with other applications under review for 20 further houses along with this further 27. Whether considered against current or emerging policy, that amounts to more than 100 additional proposed / built dwellings.
- The proposed development would result in ribbon development along High Road, with significant damage to the openness of the countryside and impact on the character of the village and the setting of St. John's Church.
- Not satisfied that sufficient work has been undertaken to ensure that the ditch improvements and additional hard standing will not result in potential flooding implication in the downstream (off site).
- The development as planned will produce an 'Estate Style' development which is inappropriate and not in keeping with the preferred development style arising from the emerging neighbourhood plan.

7.0 Summary of Other Representations

7.1 9 responses have been received, including responses from The Campaign to Protect Rural England (CPRE) and the Herts and Middlesex Wildlife Trust (HMWT) objecting to the proposals on the following grounds:

- Impact on traffic generation and highway safety
- Potential for flooding
- Noise and disturbance
- Layout and density is inappropriate and it would destroy an important gap in the village
- Unsustainable development - limited bus services and lack of amenities and service

- 7.2 The CPRE consider that the proposal is contrary to Local Plan Policy and that it represents inappropriate development in the Rural Area that would damage the countryside and views.
- 7.3 The HMWT consider that the application needs to demonstrate no net loss to biodiversity and appropriate mitigation measures.
- 7.4 Two responses have been received supporting the proposals on the following grounds:
- If High Cross has to have more houses this the obvious place to put them
 - The site has good access
 - The proposal would not upset many residents
 - A school governor supports the proposal for additional housing because there is a need for additional pupil numbers to support the continued viability of the school
- 7.5 One response was received stating that clearly new housing development needs to be approved and the proposal could be supported if the Glebe Field proposal is rejected.

8.0 Consideration of Issues

Principle

- 8.1 High Cross is designated as a Category 1 Village in the adopted Local Plan wherein limited small scale housing development would be permitted. The Plan indicates that whilst there is no absolute definition *limited small scale development* would typically comprise up to 15 dwellings, occasionally more, but rarely more than 30. In the emerging District Plan High Cross is designated as a Group 2 Village wherein Policy VILL2 would permit only limited infill development.
- 8.2 Notwithstanding the above, the site lies outside the settlement boundary of High Cross and within the Rural Area beyond the Green Belt wherein Policy GBC3 of the current Local Plan states that

permission will not normally be granted for residential development. Therefore in respect of the 2007 Local Plan, the proposals represent inappropriate development as it would result the encroachment of significant scale of built form into the Rural Area. The application site is not allocated for residential development within the District Plan and the proposal does not fall within a category of development that is identified in Policy GBR2 as being capable of maintaining the Rural Area as a valued countryside resource.

- 8.3 The emerging District Plan has now reached an advanced stage of preparation. The current housing land supply position is set out in the Council's Authority Monitoring Report 2016-17, February 2018 wherein a housing land supply of 6.2 years is established. The application therefore falls to be assessed on the balance of considerations having regard to adopted Local Plan policy, emerging District Plan policy and the NPPF.

Layout and design

- 8.4 The application is submitted in outline with all matters apart from access reserved for later consideration.
- 8.5 The density of the proposed development is reflective of the village setting and a substantive level of open space is proposed at the southern end of the site.
- 8.6 The comments of the Conservation and Urban Design Advisor are noted. However, the layout plan is indicative at this stage and it indicates that a good proportion of the frontage of the site would accommodate dwellings facing High Road. The remainder would accommodate open space in the form of a village green.
- 8.7 The indicative layout has been amended to provide improved pedestrian linkages with the High Road frontage.

Landscape impact

- 8.8 The proposed development gives rise to minor adverse landscape effects. The Landscape Advisor considers that the site is a logical extension of the existing settlement edge and mirrors the existing development along the opposite side of the highway. The site is well contained. The development results in the removal of some existing roadside hedgerow, however, its loss can be compensated for with new hedgerow and tree planting that will benefit biodiversity.
- 8.9 Overall the area from which there are actual public views of the proposed development is relatively well contained due to the screening effect of the existing settlement, and the screening effect of the intervening vegetation and sloping landform to the north and west.
- 8.10 Views are fundamentally changed due to the introduction of a new housing development within a previously open field. However, providing that the proposed development is of a high quality design and materials, with robust integrated landscape measures the harm to the rural landscape is not considered to be significant.
- 8.11 However, given the emerging policy position the resulting harm to the Rural Area must attract negative weight.

Housing and affordable housing

- 8.12 The application proposes 27 dwellings of which 40% would be affordable homes. Notwithstanding the Council's updated housing land supply position, this amounts to a positive aspect of the proposal which carries significant weight.

Highways and parking

- 8.13 The Highway Authority advise that the proposed access arrangements are satisfactory. The application is submitted in outline and the layout, including parking arrangements are reserved for later consideration, however, officers are satisfied that the

proposal can accommodate parking to the level required by policy.

- 8.14 The Highway Authority seeks the widening of the substandard footway on the west side of High Road and the provision of a tactile crossing point as this will be the pedestrian route to the school and the shop at the petrol station.

Flood Risk

- 8.15 The site is situated within Flood Zone 1. The Lead Local Flood Risk Authority are satisfied that the submitted drainage strategy is satisfactory subject to a condition to address detailed design.

Archaeology

- 8.16 The southern part of the proposed development is located within an Area of Archaeological Significance. The site lies adjacent to the main Roman highway from London to York and in proximity to the core of the historic village. The site has significant archaeological potential and a condition is recommended to require a programme of archaeological work.

Sustainability

- 8.17 In terms of economic sustainability the development would offer short term employment during the construction period and the support of future residents for local services which would carry some positive weight.
- 8.18 In social terms the provision of housing and affordable housing are beneficial aspects of the development that should be afforded positive weight.
- 8.19 In environmental terms the proposal would encroach into the rural landscape, however, the harmful impact is considered to be limited. Local services are limited and that residents would be reliant on private car to transport to access services, employment and main shopping, notwithstanding that the site is relatively close to the

settlements of Ware and Hertford and there is good access to the primary highway network and the local bus service runs along High Road.

Planning Obligations

- 8.20 HCC have requested a financial planning obligation towards improvements to Ware Library.
- 8.21 In this case the application is submitted in outline. The indicative layout shows provision of on-site open space that would meet the required standard and the Planning Obligations SPD and as such an open space contribution would not be required. However, the layout is indicative and S.106 financial contributions in accordance with Table 8 of the SPD should be included in the Legal Agreement. This would be subject to variation dependent on open space provision forthcoming in the reserve matters application. Arrangements for ongoing maintenance of any open space would also need to be included in the agreement.
- 8.22 The widening of the footpath on the west side of High Road and provision of a crossing point requested by the Highway Authority could be the subject of a condition and would also be secured by a Section 278 Highways Act Agreement.

9.0 Planning Balance and Conclusion

- 9.1 The current housing land supply position is set out in the Council's Authority Monitoring Report 2016-17, February 2018 wherein a housing land supply of 6.2 years is established. The application therefore falls to be assessed on the balance of considerations having regard to adopted Local Plan policy, emerging District Plan policy and the NPPF.
- 9.2 The site lies outside the village boundary of High Cross within the Rural Area and the proposal cannot therefore be regarded as small scale development having regard to Local Plan, or limited infill development having regard to emerging District Plan Policy. Policy

GBC3 of the current Local Plan states that permission will not normally be granted for residential development in the Rural Area. The application site is not allocated for residential development within the District Plan and the proposal does not fall within a category of development that is identified in Policy GBR2 as being capable of maintaining the Rural Area. The proposal would encroach into the Rural Area which Local Plan and emerging District Plan policy seeks to protect as a valued countryside resource.

- 9.3 The provision of 27 dwellings of which 40% will be affordable homes remains a benefit of the proposal which carries positive weight. However, in terms of its sustainability although the site lies relatively close to larger settlements with relatively good connectivity the services available in the village are limited and future residents would be largely reliant on private transport to access services and employment in larger settlements. The development would also encroach into the rural landscape resulting in limited harm. The sustainability aspects of the development are therefore afforded limited negative weight.
- 9.4 Overall, the proposed development lies outside the village boundary of High Cross and it is not regarded as sustainable development that would maintain the Rural Area Beyond the Green Belt as a valued countryside resource. In that regard the proposal would be contrary to Local Plan and emerging District Plan policy. The adverse impacts of the development on the rural landscape and sustainability considerations would also attract limited negative weight. The positive benefits of providing 27 dwellings, including affordable homes are not considered to outweigh the policy considerations aimed at protecting the Rural Area and the harm to the rural landscape.

RECOMMENDATION

That outline planning permission be **REFUSED**, for the reason set out below:

1. The proposed development would be sited outside the village boundary of High Cross within the Rural Area Beyond the Green Belt and would result in harm to the rural landscape contrary to Policies GBC3 and GBC14 of the East Herts Local Plan Second Review April 2007 and Policies GBR2 and DES1 of the emerging East Herts District Plan.

Summary of Reasons for Decision

In accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. East Herts Council has considered, in a positive and proactive manner, whether planning objections to this application could be satisfactorily resolved within the statutory period for determining the application. However, for the reasons set out in the decision notice, the proposal is not considered to achieve an acceptable and sustainable development in accordance with the Development Plan and the National Planning Framework.

KEY DATA**Residential Development**

Residential density	20.1 units/Ha	
	Bed spaces	Number of units
Number of existing units demolished		0
Number of new flat units	1	
	2	Mix unknown
	3	outline application
Number of new house units	1	
	2	
	3	
	4+	
Total		27

Affordable Housing

Number of units	Percentage
11	40%

Residential Vehicle Parking Provision

Current Parking Policy Maximum Standards (EHDC 2007 Local Plan)

Parking Zone		
Residential unit size (bed spaces)	Spaces per unit	Spaces required
1	1.25	
2	1.50	
3	2.25	
4+	3.00	
Total required		
Proposed provision	Unknown outline application	Unknown outline application

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

Parking Zone		
Residential unit size (bed spaces)	Spaces per unit	Spaces required
1	1.50	
2	2.00	
3	2.50	
4+	3.00	
Total required		
Accessibility reduction		
Resulting requirement		
Proposed provision	Unknown outline application	Unknown outline application

Legal Agreement – financial obligations

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

Obligation	Amount sought by EH Planning obligations SPD	Amount recommended in this case	Reason for difference (if any)
Affordable Housing	40%	40%	
Parks and Public Gardens	In accordance with table 8 of SPD		
Outdoor Sports facilities	In accordance with table 8 of SPD		
Amenity Green Space	In accordance with table 8 of SPD		

Provision for children and young people	In accordance with table 8 of SPD		
Maintenance contribution - Parks and public gardens			
Maintenance contribution - Outdoor Sports facilities			
Maintenance contribution - Amenity Green Space			
Maintenance contribution - Provision for children and young people			
Community Centres and Village Halls	In accordance with table 11 of SPD		