

Public Document Pack



Chairman and Members of the
Development Control Committee.

Your contact: Peter Mannings
Ext: 2174
Date: 14 March 2012

cc. All other recipients of the
Development Control Committee
agenda.

Dear Councillor,

DEVELOPMENT CONTROL COMMITTEE - 21 MARCH 2012.

Please find attached the following reports which were marked "to follow" on the agenda for the above meeting:

- (G) 3/11/1616/FP – Erection of 14 no. dwellings and new veterinary surgery with associated landscaping and access roads and demolition of existing house at 306-310, Ware Road, Hertford, SG13 7ER for Tudorwood Ltd_(Pages 3 – 22).

Recommended for Approval.

Please bring these papers with you to the meeting next Wednesday,

Yours faithfully,

Peter Mannings
Democratic Services Officer
East Herts Council
peter.mannings@eastherts.gov.uk

MEETING : DEVELOPMENT CONTROL COMMITTEE
VENUE : COUNCIL CHAMBER, WALLFIELDS, HERTFORD
DATE : WEDNESDAY 21 MARCH 2012
TIME : 7.00 PM

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5g 3/11/1616/FP – Erection of 14 no. dwellings and new veterinary surgery with associated landscaping and access roads and demolition of existing house at 306-310, Ware Road, Hertford, SG13 7ER for Tudorwood Ltd

Date of Receipt: 13.09.2011

Type: Full – Major

Parish: HERTFORD

Ward: HERTFORD – KINGSMEAD

RECOMMENDATION:

That subject to the applicant entering into a legal obligation pursuant to S106 of the Town and Country Planning Act 1990 to cover the following matters:

- The provision of two affordable homes
- 15% of dwellings to be constructed to Lifetime Homes standards
- Primary Education £32,590
- Secondary Education £34,404
- Nursery Education £4,457
- Childcare £1,819
- Youth £660
- Libraries £2,687
- Sustainable transport £24,500
- Open Space £20,974
- Recycling £1,008
- Monitoring fee - £300 per clause of the agreement
- All payments index linked in accordance with the Council's Planning Obligations SPD

The Director of Neighbourhood Services be authorised to **GRANT** planning permission subject to the following conditions:

1. Three Year Time Limit (1T121)
2. Approved plans (1T102) - 601 Revision C, 602 Revision D, 603 Revision A, 604 Revision B, 605 Revision B, 606 Revision B and 607 Revision B.
3. Details of materials (1T213)
4. Contaminated land survey (2E333)
5. Landscape design proposals (4P124) (Matters to be agreed – Fencing and any other means of enclosure including the acoustic fencing indicated on drawing ref: 601C, proposed and existing functional services above and below ground e.g. drainage, planting plans, written

specifications including cultivation and other operations associated with plant and grass establishment, schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate and implementation timetables)

6. Landscape Works Implementation (4P13)
7. Details of a scheme of external lighting proposed in connection with the development shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development, and no external lighting shall be provided without such written consent. The development shall then be carried out in accordance with the approved details.

Reason: In the interests of the security of the occupiers of the site, and the protection of the known bat habitat on site in accordance with policies ENV3 and ENV16 of the East Herts Local Plan Second Review April 2007.

8. Before first occupation of the approved development, all access and junction arrangements serving the development shall be completed in accordance with the approved plans.

Reason: To secure a satisfactory access appropriate to the development, in the interest of public safety and convenience.

9. No part of the development shall be occupied until the visibility splays shown on the approved drawings have been provided on both sides of the access and the area contained within the splays shall thereafter be kept free of any obstruction.

Reason: To provide adequate inter-visibility between the access and the existing public highway for the safety and convenience of users of the highway and of the access

10. Notwithstanding the detail shown on the submitted plan the width of the footways adjacent to the new access road shall be a minimum of 1.8m between the junction with Ware Road and the proposed pedestrian crossing feature on the access road, and shall be retained as such.

Reason: To ensure appropriate access to the veterinary surgery for pedestrians.

11. Provision and retention of parking spaces (3V234)

12. Before the new access is first brought into use, any existing access within the frontage of the land to be developed, not incorporated in the access hereby approved, shall be closed in accordance with details to be previously submitted to and approved by the Local Planning Authority.

Reason: In the interest of road safety and to reduce the number of points at which traffic will enter and leave the public highway.

13. If, during construction works, the proposed road is not constructed to the full length and layout illustrated on the approved plan, a temporary turning space for vehicles shall be constructed within the site in a position to be approved in writing by the Local Planning Authority before any building taking access from the road is occupied.

Reason: To avoid the need for vehicles to reverse into or from the public highway in the interest of road safety.

14. Prior to the first occupation of any part of the development provision of facilities for cycle storage shall be made in accordance with details submitted to, and approved in writing by, the Local Planning Authority. The facilities shall thereafter be retained as approved.

Reason: To promote alternative modes of transport.

15. Wheel washing facilities (3V252)

16. No development shall take place until a scheme for the implementation of energy efficiency measures within the development to secure at least 10% of the energy supply of the development from decentralised and renewable or low-carbon sources, shall be submitted to and approved in writing by the Local Planning Authority, and thereafter implemented in accordance with the approved scheme, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the development assists in reducing climate change emissions in accordance with policy ENG1 of the East of England Plan May 2008 and policy SD1 of the East Herts Local Plan Second Review April 2007.

Directives:

1. With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.
2. The site is located within the groundwater protection zone of Musley Lane pumping station. The construction works and operation of the proposed development should be done in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the ground water pollution risk. It should be noted that the construction works may exacerbate any existing pollution. If any pollution is found at the site then the appropriate monitoring and remediation methods will need to be undertaken. For further information please refer to CIRIA Publication C532 'Control of water pollution from construction- guidance for consultants and contractors'
3. The development will involve the numbering of properties and naming of new streets. The applicant MUST consult the Director of Internal Services. Application for this purpose should be made to the Local Land and Property Gazetteer Custodian, East Herts Council, The Causeway, Bishops Stortford, CM23 2EN. Tel: 01279 655 261.
4. In accordance with advice from Hertfordshire Constabulary you are requested to have regard to the 'Secured By Design' standards. You are advised to liaise with Mark Montgomery, Crime Prevention Design Advisor, on 01707 355 227.
5. The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The applicant is advised to contact the Eastern Herts Highways Area Office, Hertford House, Meadway Corporate Centre, Rutherford Close, Stevenage SG1 3HL (Telephone 01438 757880) to obtain the requirements on the procedure

to enter into the necessary agreement with the highway authority prior to commencement of development.

6. The applicant is advised that the storage of materials associated with this development should take place within the site and not extend into the public highway without authorisation from the highway authority, Hertfordshire County Council. If necessary further details can be obtained from the Eastern Herts Highways Area Office, Hertford House, Meadway Corporate Centre, Rutherford Close, Stevenage SG1 3HL (Telephone 01438 757800).
7. The applicant is advised that the Hertfordshire County Council, as highway authority, will not consider the proposed on-site vehicular areas for adoption as highway maintainable at public expense.
8. The applicant is encouraged to have regard to measures of sustainable development such as the harvesting of grey water, and the provision of a sustainable drainage system.
9. Prior to the commencement of the use hereby permitted, a survey should be carried out to identify the presence of any asbestos on the site, either bonded with cement or unbonded. If asbestos cement is found it should be dismantled carefully, using water to dampen down, and removed from site. If unbonded cement is found the Health and Safety Executive at AW House, 6-8 Stuart Street, Luton, Beds, LU1 2SJ shall be contacted and the asbestos shall be removed by a licensed contractor.

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan May 2008, Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and the saved policies of the East Herts Local Plan Second Review April 2007), and in particular policies ENV1, ENV2, ENV3, ENV14, ENV16, ENV20, ENV21, ENV23, ENV24, HSG1, HSG3, HSG4, HSG6, SD1, SD3, TR2, TR7 and EDE2 and national Planning Policy Statements 1 – Delivering Sustainable Development, 3 – Housing, 9 – Biodiversity and Geological Conservation, 23 – Planning and Pollution Control and planning Policy Guidance 13 - Transport. The balance of the considerations having regard to those policies and the other material considerations relevant in this case is that permission should be granted.

_____(161611FP.MC)

1.0 Background:

- 1.1 The application site is shown on the attached OS extract. It comprises a mostly vacant plot of land with a bungalow in the north-west corner. It is located towards the eastern edge of Hertford and lies approximately midway between the main shopping centres of Hertford and Ware, with Hertford town centre approximately one mile to the south-west, and Amwell End in Ware just under a mile to the north-east.
- 1.2 The proposal is for the construction of 14 dwellinghouses and a veterinary surgery, along with the associated landscaping, access roads and parking. The 14 houses would comprise 7 terraced dwellings along the Ware Road frontage, and 4 semi-detached and 3 detached houses towards the rear of the site.
- 1.3 The site was formerly used as a car showroom, garage, industrial unit and petrol station (numbers 308 – 310 Ware Road) with a separate bungalow (number 306). It has subsequently been cleared, although the bungalow has been retained. It is proposed to demolish this bungalow as part of the proposed development.
- 1.4 Alternative uses of the site were sought in the mid/late 1990s in line with the established uses, but these applications were not successful. Subsequently, the commercial uses ceased approximately four years ago.
- 1.5 A subsequent application for a commercial use of the site (ref: 3/10/0088/FP) was made approximately two years ago. It sought consent for a veterinary surgery and four commercial units. Permission was refused by Members for the application in June 2010 for the following reasons:
1. The proposed development due to the dependency on access by the private car, the relative remoteness of the site to significant residential areas and the potential undermining of strategies to support existing town centres does not represent an inclusive and sustainable form of development. The development is thereby contrary to Policies SD1 and STC6 of the East Herts Local Plan and national guidance in PPS1, PPG13 and Policy EC10.2 of PPS4
 2. Inadequate information has been submitted to satisfy the requirements for a sequential assessment as required by policy EC14.3 of Planning Policy Statement 4: Planning for Sustainable Growth. In the absence of this information the Council cannot conclude whether the town centre uses are appropriate for this out-

of-centre location.

3. Inadequate information has been submitted to satisfy the requirements for an impact assessment as required by policy EC16 of Planning Policy Statement 4: Planning for Sustainable Growth. In the absence of this information, the Council cannot accurately assess whether the proposed development would have an acceptable impact on the vitality and viability of the Ware and Hertford town centres.
4. Insufficient information has been submitted to allow a complete and accurate assessment of the impact proposed development on the local highway network in accordance with policies TR2 and TR3 of the East Herts Local Plan Second Review April 2007.
5. The proposed buildings would be out of character with the surrounding area, and of a size, form and appearance which fail to reflect or support local distinctiveness. The design fails to take the opportunity to improve the character and quality of the area or the way it functions contrary to policy ENV1 of the East Herts Local Plan Second Review April 2007, para 34 of PPS1 and EC10.2c of Planning Policy Statement 4: Planning for Sustainable Growth.
6. The design and layout of the car park at the rear of the proposed buildings is poor lacking natural surveillance and creates a potential location for anti-social behaviour. This would be contrary to policies ENV1 and ENV3 of the East Herts Local Plan Second Review April 2007.
7. No provision has been made for contributions towards sustainable transport or associated infrastructure improvements as may be required to mitigate against the impact of the development. It would therefore be contrary to Policies IMPI and TR1 of the East Herts Local Plan Second Review April 2007.
8. The development involves the loss of an existing bungalow without any replacement provision of residential accommodation as part of the development, contrary to policy EDE3 of the East Herts Local Plan Second Review April 2007.

2.0 Site History:

- 2.1 There have been several applications relating to this site. Those considered relevant to this application are as follows:

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- 3/95/0246/FP – Demolition of bungalow, new showroom, sales offices and flat; Extensions to parking; Removal of forecourt canopy and petrol pumps – Refused September 1995
- 3/95/1815/FP – Resubmission of 95/00246 – Withdrawn by applicant
- 3/97/0024/FP – New car showroom – Withdrawn by applicant
- 3/10/0088/FP – Redevelopment of site to provide 5no. commercial units (use Classes A1 Retail, A2 Financial and Professional Services, A3 Restaurant, Cafe etc, A4 Public House, Wine Bar etc, A5 Hot Food Takeaway and D1 Non-residential Institution e.g. medical, educational, veterinary etc. with associated car parking for 68no. cars, cycle store and ancillary services – Refused June 2010.

3.0 Consultation Responses:

- 3.1 Thames Water have stated that they have no objections to the proposal on the grounds of sewerage infrastructure. They have noted that it is the developer's responsibility to make arrangements for the disposal of surface water build up.
- 3.2 Environmental Health have commented that the conditions suggested in relation to the previous application at the site (ref: 3/10/0088/FP) also be applied to this development.
- 3.3 Veolia Water have noted that the site lies within the Source Protection Zone of Musley Lane pumping station. Construction works and the operation of the development should be carried out in accordance with the relevant British Standards and Best Management practices, including the monitoring and remediation of any discovered pollution.
- 3.4 Hertfordshire Biological Records Centre have noted the presence of bats along the cliff face to the rear/south of the site. Protective measures are recommended to prevent harm to this habitat.
- 3.5 The Council's Property Services Section has endorsed the potential provision of grey/rain water harvesting systems, and the use of a sustainable urban drainage system.
- 3.6 The County Council's Historic Environment Unit has commented that the proposal is unlikely to have an impact upon significant heritage assets.

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- 3.7 The Crime Prevention Officer has made various recommendations relating to security at the site, including the provision of security lighting, closed circuit television cameras, the meeting of Secured by Design standards, and improvements to natural surveillance. The applicant has provided amended plans to directly address the concerns relating to natural surveillance, while the other matters can be controlled by conditions on the permission.
- 3.8 The Crime Prevention Officer has also suggested a meeting with the applicant and veterinary practise manager to discuss matters of internal security at the surgery. This suggestion has been passed to the applicant for their consideration.
- 3.9 The County Council's Planning Obligations Officer has requested contributions totalling £66,043 towards nursery, primary and secondary education, childcare, youth facilities and libraries in the local area.
- 3.10 The County Council's Highways officer has requested a contribution of £24,500 towards sustainable transport measures in the vicinity of the site, based on a provision of 49 parking spaces.
- 3.11 The Highways officer has also recommended a series of conditions to be placed on the permission relating to the provision of the vehicular access, internal road layout, parking, details of construction vehicle movements and access arrangements, cycle storage and the cleaning of mud from the wheels of construction vehicles.
- 3.12 The Landscape officer has confirmed that the proposed landscaping scheme would be acceptable in principle. He has recommended that precise details of landscaping be provided prior to landscaping work beginning on site.
- 3.13 The Housing section have confirmed that a contribution towards the District's affordable housing needs would be expected from the development, given the size of the site.

4.0 Town Council Representations:

- 4.1 Hertford Town Council 'applauded the application in terms of layout and design', and 'was further pleased to note the concept for introducing energy saving conditions'. It recommended that these measures be required by a condition on the permission.
- 4.2 The Council 'expressed concern that the ambiance and appearance of the veterinary surgery was not conducive to the rest of the site'

5.0 Other Representations:

- 5.1 The application has been advertised by way of press notice, site notice and neighbour notification.
- 5.2 One letter has been received from a neighbouring resident noting a discrepancy in the plans and expressing concern regarding the proximity of the nearest house to their property (no. 304c Ware Road). Amended plans have since been received correcting the error.

6.0 Policy

- 6.1 The relevant 'saved' Local Plan policies in this application include the following:

ENV1	Design and Environmental Quality
ENV2	Landscaping
ENV3	Planning Out Crime – New Development
ENV14	Local Sites
ENV16	Protected Species
ENV20	Groundwater Protection
ENV21	Surface Water Drainage
ENV23	Light Pollution and Floodlighting
ENV24	Noise Generating Development
HSG1	Assessment of site not allocated in this Plan
HSG3	Affordable Housing
HSG4	Affordable Housing Criteria
HSG6	Lifetime Homes
SD1	Making Development More Sustainable
SD3	Renewable Energy
TR2	Access to New Developments
TR7	Car Parking – Standards
EDE2	Employment Uses Outside Employment Areas

- 6.2 Officers have also had regard to the Council's Affordable Housing and Lifetime Homes Supplementary Planning Document.

- 6.3 In addition, the following National policy guidance is relevant:

Planning Policy Statement 1: Delivering Sustainable Development,
Planning Policy Statement 3: Housing
Planning Policy Statement 9: Biodiversity and Geological Conservation
Planning Policy Guidance 13: Transport
Planning Policy Statement 23: Planning and Pollution Control

7.0 Considerations

7.1 The main planning issues for consideration in the determination of this application are as follows:

- Principle of development
- Whether the development makes an appropriate provision for affordable housing
- Impact on the Ware Road streetscene
- Impact on neighbour amenities
- Other matters

Principle of development

7.2 The site lies within the built-up area and therefore, in principle, development is acceptable. The proposed development involves the erection of fourteen houses and a veterinary surgery. The site is presently vacant, with the previous commercial buildings on site demolished and the site cleared.

7.3 The site sits between residential properties to the west, and commercial properties to the east. The development has been the subject of extensive pre-application discussions between the applicant and Officers. It is considered that, notwithstanding policy EDE2 of the Local Plan (which seeks to resist the loss of employment sites) a mixed-use development of the site is appropriate bearing in mind the location close to residential properties. The proposed commercial element of the scheme would link with the existing commercial properties to the east, and the new dwellings with the existing houses to the west.

Affordable housing

7.4 The site is approximately 0.65ha in area, and therefore above the threshold beyond which the Council will seek affordable housing, in accordance with Local Plan policy HSG3 and national PPS3 – Housing. At the maximum of 40% affordable housing, the Council would expect 6 of the 14 proposed houses to be affordable. Even though the development involves the demolition of an existing house, calculations are based on the proposed number of new dwellings.

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- 7.5 The applicant has commissioned a report that indicates that a requirement to provide affordable housing at the site would significantly limit the profitability of the development. They have argued that the provision of even a single unit of affordable housing at the site would make the development unprofitable.
- 7.6 An independent review of the calculations has been sought in order to assess the viability of the scheme. The report, prepared by the District Valuation Office (DVS) concluded that a fully policy-compliant scheme would be financially unviable. Officers therefore do not recommend that a full provision of 40% affordable housing be sought.
- 7.7 The DVS report instead suggested that a provision of 14%, or two units, would result in a viable scheme. As an alternative, a commuted sum in the region of £185,000 to be paid in lieu of providing affordable units has also been suggested.
- 7.8 Following discussions between Officers, the Housing section, and the applicant, the applicant has indicated a willingness to pay a commuted sum of £90,000 towards off-site affordable housing provision, although previously Officers had understood that the developer would be willing to provide a commuted sum of £185,000. In either case, Officers consider that a commuted sum would not be acceptable as it is contrary to policy guidance in the adopted Supplementary Planning Document 'Affordable Housing and Lifetime Homes' and PPS3 which indicates that affordable housing should be provided on site.
- 7.9 It is noted that commuted sums are only rarely considered to be acceptable (paragraphs 6.34 to 6.39 of the Supplementary Planning Document). No alternative sites have been identified where the money could be spent on providing affordable housing, and no justification has been put forward as to why affordable housing cannot be provided on this site.
- 7.10 The site is considered to be suitable for the provision of affordable housing. It is located in close proximity to Ware and Hertford, with access via public transport to both town centres. Local housing is predominantly in private ownership, and therefore there would not be an over-concentration of affordable housing in the area. The site is therefore considered by officers to be appropriate for the provision of affordable housing, in line with the requirements of national PPS3 and adopted SPD.
- 7.11 The proposal has been subject to a series of assessments carried out by DVS, assuming different land values and costs. The most recent

assessment, provided on the 2nd March, includes the cost of clearing the site (c. £205,000) to make it suitable for re-development.

- 7.12 DVS have assumed a notional residential land value of £1.6 million but have also advised that a value of approximately £720,000 would be expected if this part of the site were to be sold as commercial land in its current condition. This brings uplift to the landowner of approximately £880,000 by the grant of planning permission for the residential use in addition to the developer's profit of approximately £990,000 (when £90,000 is proposed as a commuted sum). Because of this uplift, which would result from the grant of a residential planning permission, Officers consider that the original recommendation to provide 2 affordable dwellings on the site is an appropriate and reasonable one especially given that it represents a 14% rather than a 40% provision.
- 7.13 The financial viability report also assumes a level of profit of 17.5% for the development of the private housing to reflect an uncertain housing building market at a cost of £1 million, although arguably profits of 15% are more common currently. The provision of two units of affordable housing, as set out at the head of this report, would reduce the developers profit from 17.5% to approximately 15.7% which Officers consider remains reasonable and indicates that it would not make the scheme financially unviable. Indeed, it could be argued that more than 2 affordable houses could be provided given the uplift of land value and scope to modify profit, but Officers are, on balance, willing to accept the advice of the DVS that this lower figure is appropriate in the current economic climate.
- 7.14 Officers therefore recommend that the Section 106 agreement include a requirement that two of the fourteen residential units proposed be made available for affordable housing.

Streetscene

- 7.15 The Ware Road streetscene comprises a mix of residential and commercial units, with the application site forming a break between significant stretches of residential properties to the west (approximately 400m), and commercial properties to the east (around 140m). It is therefore considered appropriate that there be a clear visual separation between the veterinary surgery to the east of the frontage, and the houses to the west of the frontage.
- 7.16 The houses would be of a comparable height to the neighbouring houses (304, 304a-c Ware Road). The ground level of the application site would be significantly lower than that of the neighbouring properties, so while

the individual houses would be taller on the application site, the ridgelines would be lower than the adjacent houses.

- 7.17 There would be a gap of more than two metres from the flank wall of the westernmost house to the flank wall of no 304c, the nearest house to the site. This is in keeping with the Council's design guidance. 304c has been extended at ground and first floor level, and it is unlikely that any further increase in size to the property would be sought. The separation between the properties would therefore be likely to be maintained. The difference in styles between the existing and proposed properties, and the difference in levels, would further ensure against there being a significant terracing effect.
- 7.18 The proposed houses include interesting architectural details such as asymmetric canopies and prominent, steeply pitched front gables. In addition, four of the seven houses would include ground floor bay windows and front balconies. Although not typical features in the Ware Road streetscene, balconies are present on some properties and officers consider that they would add character to the properties.
- 7.19 The veterinary surgery would be an angular, flat-roofed building. It would be largely functional in form. However, the frontage would be broken up with a projecting aluminium façade to the west, and a vertical metal rain screen that would separate the timber-clad office area from the brick exterior surgery area. In addition, the office area would project forward of the surgery area by around 3m, and would be slightly taller than the wider surgery area. The building would be set back from the site boundary by around 10m, with some landscaping along the frontage. Overall, it is considered that the building would possess some visual distinctiveness, while not appearing significantly out of keeping with the neighbouring commercial properties.
- 7.20 The site is in a prominent location on Ware Road, on a stretch of largely straight road of more than a mile in length. Any development on this site will be highly visible in the local area. Local Plan policy ENV1, and national PPS1, require a high standard of design for new development, and that development accord with the local character. Officers consider that the appearance of this development would be acceptable on this site, and that the design of the surgery and houses would be acceptable in relation to the local area, as well as being sufficiently distinctive to contribute to local character.

- 7.21 The site has been levelled, with the proposed ground level approximately 1m above the adjacent pavement level on Ware Road. The site is bordered to the west by Cockbush Avenue, a sharply sloping road that is some 15m above the ground level of the site at a point around 70m from Ware Road. The houses to the rear of the site would be approximately 10-15m lower than the houses that back onto the site, and there would be no material impact on the privacy of the existing occupiers from the development.
- 7.22 Officers consider that the difference in levels would be sufficient to mitigate against significant noise disturbance to existing residents. The commercial element of the development would be sited away from existing houses, with acoustic fencing sited between the surgery and the proposed houses, as well as between the commercial site to the east and the proposed houses to the rear of this site.
- 7.23 The houses to the front of the site would be aligned with the existing neighbouring houses (304, 304a-c Ware Road), be of comparable depths and set slightly lower into the ground. There would be no material loss of light from the erection of the proposed houses to the existing properties.
- 7.24 The houses opposite the site, on the north side of Ware Road, are at or close to the level of the road. The houses and surgery would not be so tall that they would materially affect light to these properties.
- 7.25 Officers consider that the development would have no impact on neighbour amenities that would warrant the refusal of the application, in accordance with Local Plan policy ENV1.

Other Matters

- 7.26 The houses to the rear of the site would share design characteristics with the more prominent properties fronting Ware Road, including steep, asymmetric gables and front balconies to the semi-detached houses. This would ensure a consistent appearance to the houses across the development.
- 7.27 The County Council has requested approximately £90,000 in contributions towards transport and education matters. The District Council is seeking approximately £25,000 towards recycling, open space and the costs of preparing the legal agreement. The assessment carried out by DVS and the related enhanced land value of the site shows that these figures can be met by the developer without making the

development unviable. The amounts are considered necessary to properly mitigate the impact of the development on local infrastructure, and therefore the full amount is sought.

- 7.28 Parking provision at the site would be 31 spaces for the 14 houses, and 18 spaces for the surgery. These figures have been based on the Council's Supplementary Planning Guidance for parking at new developments, and are considered to be acceptable by officers.
- 7.29 The cliff to the south of the site is known to be the site of foraging by bats. No external lighting would be permitted to shine onto the cliff of the immediate area around it, to ensure that this habitat is not disturbed by the development. However, there is a need to provide some external lighting at the site for security purposes, particularly in the rear parking area for the surgery. Details of this lighting would be required by condition.
- 7.30 With regard to the Crime Prevention Officer's recommendation that the development meet Secured by Design standards, it is not considered reasonable to require this by condition given the relatively small scale of the development. However, a directive is added to the recommendation to make the applicant aware of the standards.
- 7.31 In accordance with Local Plan policy HSG3 it is recommended that a condition be placed on the permission requiring that a minimum of two of the dwellings be constructed in accordance with the Lifetime Homes standards. This will ensure that these homes be fully accessible, with their internal space designed for possible future adaptation as the needs of the occupants allow.
- 7.32 In terms of encouraging sustainable development, the development offers potential for measures such as the provision of a sustainable urban drainage system and communal grey water harvesting and the applicant is encouraged to include such measures in the development. A condition is also suggested to ensure a minimum provision in accordance with regional planning policy.

8.0 Conclusion:

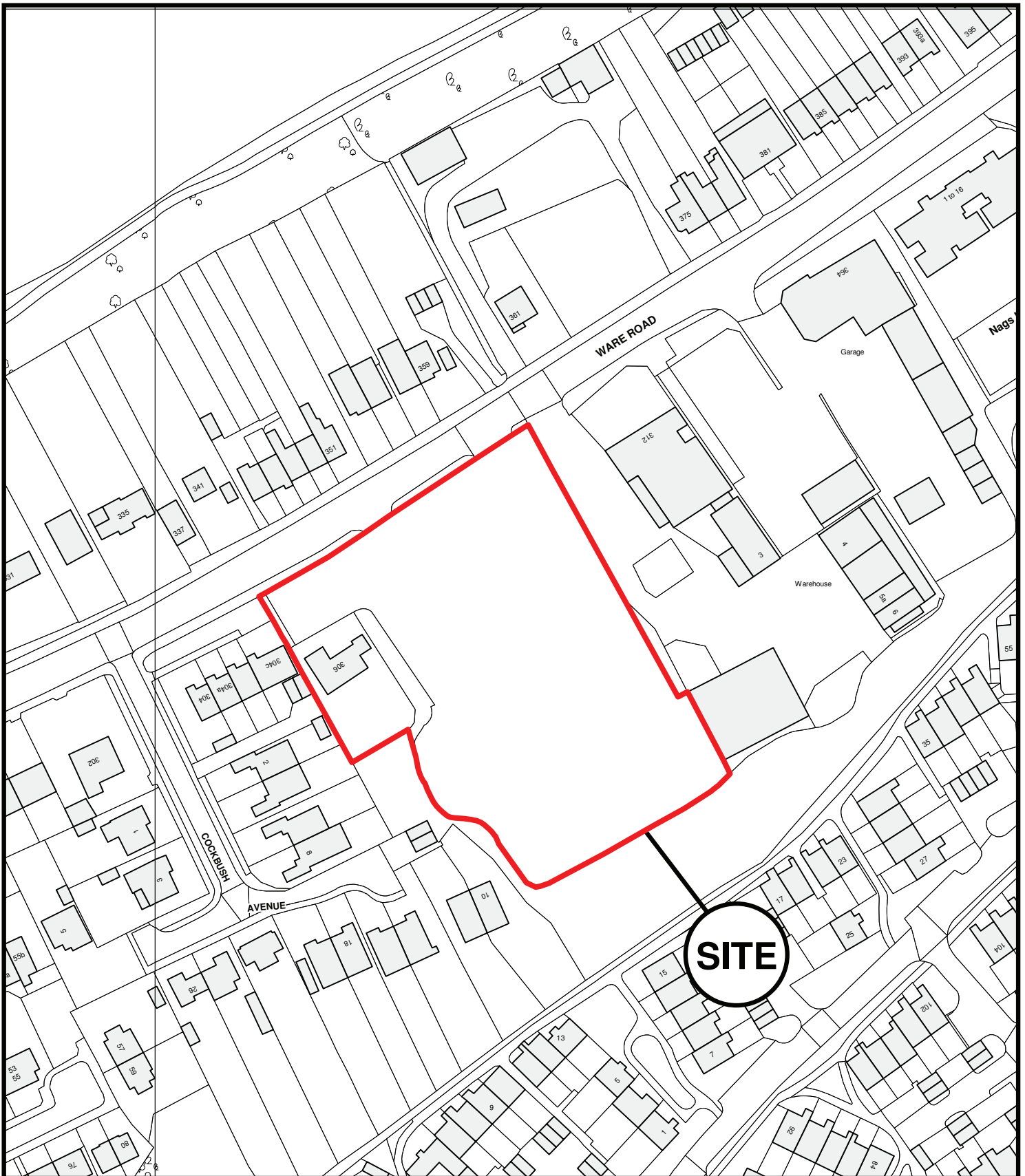
- 8.1 The site is a vacant piece of previously developed land formerly in employment use that occupies a prominent location on Ware Road.
- 8.2 The site is considered by officers to be suitable for the proposed mixed use redevelopment. The buildings would be compatible with, and complimentary to, existing local character and the development would

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not be harmful to neighbour amenities.

- 8.3 The application has been submitted following extensive negotiations between the applicant and the Council, and is considered to be an appropriate mixed use compatible with the site, its previous employment use and the wider character of the area.
- 8.4 While provision of affordable housing has been a contentious detail, the viability assessments carried out have indicated to Officers that the provision of two affordable dwellings is both viable and reasonable in this case.
- 8.5 It is therefore recommended that planning permission be granted for this development, subject to the conditions outlined above and the signing of the Section 106 legal agreement.

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East Herts Council
Wallfields
Pegs Lane
Hertford
SG13 8EQ
Tel: 01279 655261

Address: 306-310, Ware Road, Hertford, Herts, SG13 7ER

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