



James Ellis

Head of Legal and Democratic Services

MEETING : DEVELOPMENT MANAGEMENT COMMITTEE
VENUE : COUNCIL CHAMBER, WALLFIELDS, HERTFORD
DATE : WEDNESDAY 5 APRIL 2023
TIME : 7.00 PM

PLEASE NOTE TIME AND VENUE

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MEMBERS OF THE COMMITTEE

Councillor B Deering (Chairman)

Councillors D Andrews, T Beckett, R Buckmaster, B Crystall, R Fernando, I Kemp, S Newton, T Page, C Redfern, P Ruffles and T Stowe (Vice-Chairman)

Substitutes

Conservative Group: Councillors S Bull, A Huggins and S Rutland-Barsby

Liberal Democrat Group: Councillor J Dumont

Labour: Councillor M Brady

Green: Councillor J Frecknall

(Note: Substitution arrangements must be notified by the absent Member to the Committee Chairman or the Executive Member for Planning and Growth, who, in turn, will notify the Committee service at least 7 hours before commencement of the meeting.)

CONTACT OFFICER: PETER MANNINGS

01279 502174

PETER.MANNINGS@EASTHERTS.GOV.UK

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AGENDA

1. Apologies

To receive apologies for absence.

2. Chairman's Announcements

3. Declarations of Interest

To receive any Members' declarations of interest.

4. Minutes - 23 March 2023 – (To Follow)

To confirm the Minutes of the meeting of the Committee held on Thursday 23 March 2023 – 'To Follow'

5. Planning Applications for Consideration by the Committee (Pages 6 - 9)

(A) 3/22/1030/OUT - Outline planning application with all matters reserved except access for the erection of up to 58 dwellings, amenity space, landscaping and all associated infrastructure at Land to the North-West Of Buntingford (East of the A10) located off Neale Drive and Phillips Way, Buntingford, Hertfordshire (Pages 10 - 54)

Recommended for Approval

(B) 3/22/2200/FUL - Redevelopment of the site to provide industrial units (Use Classes E(g)iii and/or B2 and/or B8) and associated works including vehicle parking, ancillary structures and landscaping at Land and Buildings at Hertford Industrial Estate, Caxton Hill, Hertford, SG13 7NE_(Pages 55 - 92)

Recommended for Approval

6. Urgent Business

To consider such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration and is not likely to involve the disclosure of exempt information.

Agenda Item 5

East Herts Council Report

Development Management Committee

Date of Meeting: 5 April 2023

Report by: Sara Saunders, Head of Planning and Building Control

Report title: Planning Applications for Consideration by the Committee

Ward(s) affected: All

Summary

- This report is to enable planning and related applications and unauthorised development matters to be considered and determined by the Committee, as appropriate, or as set out for each agenda item.

RECOMMENDATIONS FOR DEVELOPMENT MANAGEMENT COMMITTEE:

A recommendation is detailed separately for each application and determined by the Committee, as appropriate, or as set out for each agenda item.

1.0 Proposal(s)

1.1 The proposals are set out in detail in the individual reports.

2.0 Background

2.1 The background in relation to each planning application and enforcement matter included in this agenda is set out in the

individual reports.

3.0 Reason(s)

3.1 No.

4.0 Options

4.1 As detailed separately in relation to each matter if any are appropriate.

5.0 Risks

5.1 As detailed separately in relation to each matter if any are appropriate.

6.0 Implications/Consultations

6.1 As detailed separately in relation to each matter if any are appropriate.

Community Safety

As detailed separately in relation to each matter if any are appropriate.

Data Protection

As detailed separately in relation to each matter if any are appropriate.

Equalities

As detailed separately in relation to each matter if any are appropriate.

Environmental Sustainability

As detailed separately in relation to each matter if any are appropriate.

Financial

As detailed separately in relation to each matter if any are appropriate.

Health and Safety

As detailed separately in relation to each matter if any are appropriate.

Human Resources

As detailed separately in relation to each matter if any are appropriate.

Human Rights

As detailed separately in relation to each matter if any are appropriate.

Legal

As detailed separately in relation to each matter if any are appropriate.

Specific Wards

As detailed separately in relation to each matter if any are appropriate.

7.0 Background papers, appendices and other relevant material

7.1 The papers which comprise each application/ unauthorised development file. In addition, the East of England Plan, Hertfordshire County Council's Minerals and Waste documents, the East Hertfordshire Local Plan and, where appropriate, the saved policies from the Hertfordshire County Structure Plan, comprise background papers where the provisions of the Development Plan are material planning issues.

7.2 Display of Plans

7.3 Plans for consideration at this meeting are available online. An Officer will be present from 6.30 pm to advise on any plans relating to schemes on strategic sites. A selection of plans will be displayed electronically at the meeting. Members are reminded that those displayed do not constitute the full range of plans submitted for each matter and they should ensure they view the full range of plans online prior to the meeting.

7.4 All of the plans and associated documents on any of the planning applications included in the agenda can be viewed at:
<https://publicaccess.eastherts.gov.uk/online-applications/>

Contact Member Councillor Jan Goodeve, Executive Member for Planning and Growth
jan.goodeve@eastherts.gov.uk

Contact Officer Sara Saunders, Head of Planning and Building Control, Tel: 01992 531656
sara.saunders@eastherts.gov.uk

Report Author Peter Mannings, Democratic Services Officer, Tel: 01279 502174
peter.mannings@eastherts.gov.uk

Agenda Item 5a

DEVELOPMENT MANAGEMENT COMMITTEE – 5 APRIL 2023

Application Number	3/22/1030/OUT
Proposal	Outline planning application with all matters reserved except access for the erection of up to 58 dwellings, amenity space, landscaping and all associated infrastructure
Location	Land to the North-West of Buntingford (East of the A10) Located off Neale Drive and Phillips Way, Buntingford, Hertfordshire
Parish	Buntingford Town Council
Ward	Buntingford

Date of Registration of Application	23 rd May 2022
Target Determination Date	2 nd March 2023
Reason for Committee Report	Major application
Case Officer	Steve Fraser-Lim

RECOMMENDATION

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

1.0 Summary of Proposal and Main Issues

- 1.1 The application proposals seek outline planning application with all matters reserved except access for the erection of up to 58 dwellings, amenity space, landscaping and all associated infrastructure.
- 1.2 The illustrative layout plan suggests two perimeter blocks of housing development located to north and south of Neale Drive with areas of landscaping along the eastern boundary, and north west corner of the site. The proposals are for up to 58 residential units with an illustrative housing mix as set out below:

Indicative housing mix		
Unit size	Open market	Affordable
1 bed flat	9	9
2 Bed bungalow	10	3
2 bed house	6	6
Three bed house	10	5
Total	35 (60%)	23 (40%)
Total open market / affordable units	58	

Illustrative car / cycle parking provision	
Allocated parking for dwellings	107
Visitor spaces	13
Disabled spaces	Not stated
Total car parking	120
Cycle parking	Not stated

1.3 The main issues are in relation to:

- The principle of development
- Affordable housing provision and mix of housing
- Landscaping and design
- Highways and transport
- Drainage, biodiversity and sustainability and are considered in section 8 of this report.

1.4 The site forms part of a wider site identified in policy BUNT1 of the East Herts District Plan 2018 as being suitable for development and the development proposed is broadly in accordance with this policy.

1.5 A Masterplanning Framework for the site was prepared in collaboration with the Planning Service and adopted by Council on the 1st March 2022, which forms a material consideration. This sets out broad principles to guide the development of the site which the scheme is generally in accordance with.

- 1.6 The number of homes proposed on the site is broadly in accordance with policy BUNT1 and 40% of them would be affordable. Concerns are raised about the size and type of affordable homes, but this will be addressed by condition, and assessed at reserved matters stage by the Strategic Housing Market Assessment in force at the time.
- 1.7 The illustrative masterplan suggests a scheme which could respond positively to its context with sufficient space from green space and informal play within the site. Concerns regarding surveillance of the surrounding road network and dominance by car can be resolved at the reserved matters stage.
- 1.8 The local Highway Authority are satisfied with the scheme subject to conditions and approximately 2 vehicle parking spaces per house and 1 per flat could be provided, which is considered to be adequate.
- 1.9 With conditions, the site is considered to be adequately drained and details of a sustainable urban drainage scheme can be secured through condition.
- 1.10 The scheme would require a legal agreement to secure planning obligations, mainly being for 40% of the scheme to be affordable housing and for the provision of financial contributions to infrastructure and other matters.

2.0 Site and Surroundings

- 2.1 The site is 2.29ha in size and currently predominantly cleared and ready for development, with an access road constructed joining the A10 from Neale Drive. Hedgerows are located on the western boundary of the site adjacent to the A10.
- 2.2 The site is located within but adjacent to the northern edge of the Buntingford settlement boundary and is bounded to the north by agricultural fields. Recent housing development adjoins to the east. Agricultural fields are situated on the opposite side of the A10 to the west of the site. Playing fields which are designated open space adjoins to the south.

- 2.3 The town of Buntingford is situated further to the south, including the town centre around 0.5-1 mile to the south of the site. The area forms part of an area where there is a likelihood of items of archaeological significance.

3.0 **Planning History**

The following planning history is of relevance to this proposal:

Application Number	Proposal	Decision	Date
3/17/2921/VAR	Removal of Condition 10 of planning permission 3/16/0471/VAR for full permission for the erection of 180 homes, amenity land for community uses, the creation of one new access onto the A10 and closure of an existing access onto the A10 north of the site, creation of four new accesses onto Ermine Street and the upgrading of one access onto Ermine Street, and the provision of amenity space and associated infrastructure, and in outline with all matters reserved a 50-60 bed care home and sheltered accommodation. Required works to Footpath No. 035 to be undertaken by Hertfordshire County	Granted	January 2019

	Council through a legal agreement.		
	3/18/0028/NMA non-material amendment to 3/16/0471/VAR - Plots 13, 14, 15, 19, 25, 34, 36 and 72 substituted with the Oxford Lifestyle house type, increasing the width of private drive to plots 56 and 57 on the eastern boundary, increasing the size of garden on plot 177 of the southern boundary		
3/17/0179/NMA	Non-Material Amendment to 3/16/0471/VAR to amend the layout and street scene plans to reflect the approved housing mix.	Granted	February 2017
3/17/0570/NMA	Non-material amendment to 3/16/0471/VAR for plot substitutions including relocating one of the bungalows on the northern crescent, alterations to the position of garden fences and alterations to the position of garages.	Granted	May 2017
3/16/0471/VAR	Variation of Condition 14 (approved plans) of planning permission 3/13/1375/OP: Full permission for the erection of 180 homes, amenity land for community uses, the	Granted	December 2016

	<p>creation of one new access onto the A10 and closure of an existing access onto the A10 north of the site, creation of four new accesses onto Ermine Street and the upgrading of one access onto Ermine Street, and the provision of amenity space and associated infrastructure, and in outline with all matters reserved a 50-60 bed care home and sheltered accommodation. Amendments to the layout, mix, and design of the approved residential development.</p>		
<p>3/13/1375/OP</p>	<p>Full permission for the erection of 180 homes, amenity land for community uses, the creation of one new access onto the A10 and closure of an existing access onto the A10 north of the site, creation of four new accesses onto Ermine Street and the upgrading of one access onto Ermine Street, and the provision of amenity space and associated infrastructure, and in outline with all matters reserved a 50-60 bed care home and</p>	<p>Granted</p>	<p>October 2015</p>

	sheltered accommodation.		
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4.0 **Main Policy Issues**

- 4.1 The main issues of the application relate to the principle of residential development in this location, urban design, sustainability considerations, transport, residential amenity, impacts upon local infrastructure and if any material considerations outweigh any potential policy conflicts. The relevant policies in the National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG), the adopted East Herts District Plan 2018 (DP), are referenced in the table below.

Main Issue	NPPF	East Herts District Plan	Buntingford Community Neighbourhood Plan
Principle of new housing development	Chapter 2, 5, 6, and 8	INT1, DPS1, DPS2, DPS3, BUNT1, HOU1, HOU2, HOU3, HOU7.	HD1, HD7
Sustainability, Climate Change, water management	Chapter 2, 14	CC1, NE4, WAT1, WAT3, WAT4, WAT5, WAT6,	HD3, INFRA4, INFRA5,
Good Design, Landscape Character	Chapter 12, 15	DES2, DES3, DES4, DES5	ES1, HD2, HD4,
Ecology and Biodiversity	Chapter 15	NE2, NE3, NE4	ES5, ES7, ES8,
Amenity (existing and proposed occupiers)	Chapter 4, 12	DES2, DES3, DES4, DES5, EQ2, EQ3, EQ4	
Pollution	Chapter 1, 15	EQ1, EQ2, EQ3, EQ4,	

Transport	Chapter 9	TRA1, TRA2, TRA3, CFLR3,	T1, T2, T4, T6,
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Other relevant issues, including the adopted Masterplan Framework for the site (Land Northwest of Buntingford, adopted March 2022) are referred to in the 'Consideration of Relevant Issues' section below.

5.0 Summary of Consultee Responses

- 5.1 HCC Highway Authority – has no objection subject to conditions regarding: design of site accesses; design of bus stops; Travel Plan Statement; details of hard surfaces that are suitable for turning / manoeuvring; Construction Traffic Management Plan.
- 5.2 EHDC Conservation and Urban Design Advisor Proposals accord with many principles within the Masterplan for the site. However some concerns are raised regarding the illustrative masterplan which should be addressed at reserved matters stage: car dominated frontages to Neale Drive, potential for traffic calming measures; poor frontages to southern edge of the site; consideration of a noise barrier adjacent to the A10; further pedestrian links along pedestrian desire lines.
- 5.3 Lead Local Flood Authority Previously raised concerns that the Drainage Strategy notes that the site is underlain by bedrock for which infiltration techniques are not considered to be a viable option for surface water drainage. Therefore, attenuation storage has been recommended with discharge to existing surface water infrastructure to the east. However, justification is needed to determine why deep borehole soakaways are considered unfeasible.
- 5.4 In addition, some below ground geocellular storage is proposed in parcel B. The proposed geocellular storage tank in Parcel B should be reviewed as no underground storage will be accepted on a greenfield site. Green areas on site should be incorporated into SuDS design to act as multipurpose areas, providing surface water storage,

benefiting water quality, enhancing the local ecology and increasing biodiversity.

- 5.5 A drainage plan, confirmation of greenfield runoff rates, and surface water calculations is also required.
- 5.6 Since these comments were made, an updated drainage strategy has been submitted but no updated comments have been received from the LLFA.
- 5.7 HCC Herts Ecology No comment received.
- 5.8 HCC Minerals and waste commented that a Site Waste Management Plan should be submitted either as part of the application or as a condition.
- 5.9 EHDC Landscape Advise that they have no objection.
- 5.10 EHDC Environmental Health Advisor (ground contamination / air quality / noise) raise no objections subject to conditions regarding: contaminated land site investigation report / remediation scheme / validation report; electric vehicle charging points; control on emissions from gas boilers; noise levels not to exceed BS8233/2014 with new dwellings.
- 5.11 EHDC Housing The proposals would broadly comply with Policy HOU3 as it would deliver 23 affordable housing units (40% affordable housing).
- 5.12 Concerns are raised with regard to the high proportion of 1 bed and shortage of larger 4 bed affordable housing units. In addition one of the proposed 2-bed bungalows does not meet Nationally Described Space Standards. Affordable housing tenure is not specified and the housing team would accept a split of 75% rented and 25% affordable home ownership. These issues would need to be addressed at reserved matters stage.

- 5.13 EHDC Waste management Commented that vehicle tracking is welcome, but no indication of the turning capacity of the freighter to be used. A freighter with a kerb to kerb radius of 12.1m is needed to access, turn and leave the site in forward gear. Recommend a condition requiring submission of full details of waste storage.
- 5.14 EHDC Infrastructure: Request financial contributions (if not provided on site) towards allotments (£10,258), bowls (£13,969), children's play facilities (£124,535), fitness / gym (£14,754), green space (£24,070), outdoor tennis (£9750), parks (£57,175), recycling (£4408), sports halls (£33,200), studio space (£6095), swimming pools (£33,950), community space (£40,186).
- 5.15 Thames Water have advised that regarding surface water drainage, the application indicates that surface water will not be discharged to the public network and as such Thames Water has no objection, however approval should be sought from the Lead Local Flood Authority. Should the applicant subsequently seek a connection to discharge surface water into the public network in the future then we would consider this to be a material change to the proposal, which would require an amendment to the application. With regard to foul drainage a condition is required to secure details of foul water drainage capacity.
- 5.16 HCC Growth and Infrastructure Unit Requested contributions towards primary school provision (build costs £338,944 + land costs £54,500); middle school (£227,005); Upper Education towards the expansion of Freman College (£282,581); Special Educational Needs and Disabilities (SEND) towards the new East Severe Learning Difficulty (SLD) School (£52,788); Library Service towards increasing the capacity of Buntingford Library or its future re-provision (£4,740); Youth Service towards the Buntingford Young People's Centre or its future re-provision (£10,855); and Monitoring Fees (£340 per trigger point).
- 5.17 Hertfordshire and Middlesex Wildlife Trust commented that the application demonstrates a biodiversity net gain and makes reasonable assumptions in the biodiversity metric habitat and

condition scores. A condition should be applied to the decision which states that a LEMP is necessary that demonstrates how a minimum of 5 habitat units will be delivered as well as measures to support swifts and bats.

- 5.18 Hertfordshire and West Essex NHS requests a financial contribution of £74,936 provide increased capacity at Buntingford Medical Centre to meet the needs of the development.

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

6.0 Town/Parish Council Representations

- 6.1 Buntingford Town Council Note that the site is within the settlement boundary but object to the proposals until all consultees concerns are addressed with regard to infrastructure provision. Request contributions towards Seth Ward Community Centre; Bowling Green Lane car park public toilets; upgrade to MUGA to provide 3G surface.

7.0 Summary of Other Representations

- 7.1 11 responses have been received with 10 of these objecting and 1 commenting on the proposal. The objections are on the following grounds:
- Traffic congestion.
 - Other housing developments in Buntingford have not been completed properly with roads not adopted, landscaped areas of poor quality and speed reduction measures on Ermine Street not provided. These issues should addressed before allowing more new development.
 - The space is intended as a buffer between the town and the A10
 - New housing in Buntingford is not needed.
 - Due to recent housing growth Infrastructure in the town (doctors surgery, schools, drainage, sewage) is inadequate to deal with additional housing.

- Waiting times for doctors patients are very long. Increased housing will mean further delays which is dangerous to health.
- Proposals will increase traffic congestion and pollution in the town.
- Parents of children are likely to drive their children to schools outside of the town, causing more congestion and pollution
- The proposals are contrary to the neighbourhood plan.
- A hotel and spa has been consented for the site and this should be built.
- 1100 homes have been built in the town over the last 5-7 years which is more than the local plan target of 500 homes.
- A new primary school which was intended to be built in September has not been built.
- Supermarkets in the town are too small to meet the additional need generated by new housing.
- Bus services to / from Buntingford are too poor to meet the needs of new housing
- There are insufficient facilities for older children in the town
- There are insufficient waste management sites to meet the requirements of the town following the closure of the site in Buntingford.
- Proposals will result in the loss of fields and trees
- Use of Neale Drive by HGVs should be restricted.
- Proposed pathways don't take account of adjacent housing

7.2 The Comments received raise the following issues:

- New access onto A10 and traffic calming measures need to be delivered.

8.0 Consideration of Issues

Principle of Development

- 8.1 The overall development strategy within the East Herts District Plan as summarised within Policy DPS1 identifies the need to deliver new housing, with 18,458 new homes required over the plan period 2011-2033 (839 new homes per year) to meet identified needs. DPS2 seeks to provide these homes in sustainable locations, including urban areas such as Buntingford. Policy BUNT1 includes more detail on development in Buntingford, and states that Buntingford will accommodate a minimum of 1,074 new homes including (f) *“around 236 new homes on land north of Park Farm Industrial Estate”*. Most recently a Masterplan Framework for development of the application site known as Land Northwest of Buntingford was adopted on 1st March 2022. The Masterplan design vision for Land North West of Buntingford is to create a high quality, landscape and design-led scheme for around 55 new homes (including 40% affordable homes), together with amenity space, landscaping and all associated infrastructure, that provides an attractive green approach to the northwest of the town, through appropriate landscape design and new tree and hedgerow planting along Neale Drive, whilst providing attractive green spaces with native planting that create a strong landscape framework for the site.
- 8.2 The Masterplan also requires that the site integrates with the existing homes to the east and will provide high levels of connectivity to encourage active travel (cycling and walking). New homes will adopt a dwelling-centric, fabric first approach which locks in carbon-savings for the life of the building with opportunities for renewable energy technologies to achieve further carbon savings; and electric vehicle charging points and water efficient measures provided to encourage sustainable living.
- 8.3 The proposals would deliver up to 58 new dwellings within the Buntingford settlement boundary, which would be broadly in accordance with policies DPS1, DPS2 and the Masterplan for the site.
- 8.4 The site forms part of the wider area of land to the north of the Park Farm Industrial Estate. Planning permission was granted in 2015 for 180 new homes and a 50-60 bed care home (ref: 3/13/1375/OP, see

history section). The red line plan for this previous application included some parts to the site to the south of Neale Drive, which is also included within the red line area of the current application. Application 3/13/1375/OP identified the potential use of this area of the site as sports pitches. However, as this previous application proposed a significant overprovision of sports pitches, this space was identified as land to be retained by the applicant within the Section 106 agreement for the application.

- 8.5 The area to the north of Neale Drive in the current application was excluded from the red line plan of the previous application, but was outlined in blue, to indicate it was in the same ownership. In addition the plans approved with application 3/13/1375/OP indicatively show a potential 'country house hotel' within the blue line area, although this was not applied for as part of this previous application.
- 8.6 As such the proposed development in conjunction with previous approvals on land to the north of Park Farm industrial estate would result in delivery of 238 dwellings and a 50-60 bed care home. This would result in slightly more residential accommodation than indicated within policy BUNT1(f) for land north of Park Farm Industrial Estate. However the policy proposes an indicative figure only and the hotel development which is suggested on some previous plans for the site would now no longer be progressed. The delivery of additional housing is therefore considered to be in general accordance with district plan policies DPS1, DPS2 and BUNT1 and goes some way towards meeting the District's identified housing need.
- 8.7 In addition the NPPF requires local planning authorities to be able to demonstrate that they have identified the sites on which the first 5 years of housing will be supplied – a 5 year housing land supply (5YHLS). A recent appeal decision concluded that the Council cannot currently demonstrate a five year housing land supply. The consequence of not having a 5YHLS is that the 'tilted balance' is engaged in the decision-making process. The tilted balance refers to paragraph 11(d) of the NPPF which states that if the most relevant Local Plan policies for determining a planning application are out of

date (such as when a 5YHLS cannot be demonstrated), the application should be approved unless the application of NPPF policies that protect areas or assets of particular importance (as defined by the NPPF) provide a clear reason for refusing permission or the harms caused by the application significantly and demonstrably outweigh its benefits, when assessed against policies of the NPPF as a whole.

- 8.8 In this context, the policies considered to be out of date include in particular those relating to the development strategy and delivery of housing which are referred to in this report. As such the above considerations around 5-year housing land supply gives further weight as to the acceptability of development of the site for housing.
- 8.9 Therefore, this application is for the development of an area of land which is within the Buntingford settlement, and which would result in a development of the wider area which is in broad accordance with policy BUNT1.

Affordable housing:

- 8.10 Policy HOU3 recognises housing affordability as a significant issue in the district and seeks up to 40% of new homes on larger developments of 15 or more units to be affordable. The policy also states that a mix of affordable housing tenure types is sought, on a case-by-case basis. Affordable housing should also be of similar design quality to private housing and integrated evenly throughout the site.
- 8.11 The application proposals comprise up to 23 dwellings to be affordable, which would represent up to 40% of total units. In addition, an illustrative affordable housing plan has been submitted which shows the affordable units distributed within 3 of the 4 proposed permitter blocks. As such the proposed affordable housing provision would be in accordance with HOU3 in terms of the total amount of affordable housing.

8.12 Affordable Housing Officer comments are noted with regard to the high number of proposed 1-bed units and low number of 4-bed units within the proposed affordable tenure. A tenure split of 75% affordable rent; 25% affordable home ownership is also sought. These issues have been discussed with the applicants. It should be noted that the application has been submitted in outline and the proposed housing mix is indicative only. The Section 106 agreement includes a head of term requiring submission of an affordable housing scheme, and a planning condition is proposed requiring that the housing mix is within a specified range. These measures will allow officers to secure a mix of affordable housing at reserved matters stage, which addresses the above requirements. As such the affordable housing provision would accord with policy HOU3 and would help to meet housing need in the district.

Housing Mix:

- 8.13 Policy HOU1 states that *“On new housing developments of 5 or more gross additional dwellings, an appropriate mix of housing tenures, types and sizes will be expected in order to create mixed and balanced communities”*. Policy HD7 of the Neighbourhood Plan states that housing mix should reflect local housing need identified through evidence.
- 8.14 The indicative housing mix includes a range of unit sizes including 1-bed flats, 2 bed flats and bungalows, and 3 bed houses. Comments from the Housing Officer with regard to overprovision of 1 bed units and under provision of 4 bed units in the affordable tenure type are noted, and the same issues relate to the overall housing mix. A housing mix which more closely meets the identified need would have approximately fewer 1-bed units than shown indicatively (-3) fewer 2-bed units (-4), more 3-bed units (+1) and some 4-bed units (+6). Officers are satisfied that such a scheme can be secured at reserved matters stage and that the site appears to be able to accommodate such a scheme.
- 8.15 Being an application in outline, the house sizes, layout and relationship to each other will be considered in the layout and scale

reserved matters. To ensure that they come forward in a fashion likely to be acceptable, a condition is recommended to secure a more balanced housing mix, this element of the proposals would be in accordance with policy HOU1 and HD7 and is to ensure that the housing meets an identified local need.

- 8.16 Policy HOU7 requires provision on major sites of units which meet the changing needs of residents or society over their lifetime, and as such 90% of homes should comply with the M4(2) (accessible and adaptable) accessibility standards in the Building Regulations and 10% should meet M4(3) (wheelchair user dwellings). A condition is recommended to secure this.

Good design / Landscape character

- 8.17 Policy DES2 states that *“development proposals must demonstrate how they conserve, enhance or strengthen the character and distinctive features of the district’s landscape”*. Policy DES4 requires development to be of a *“high standard of design and layout to reflect and promote local distinctiveness”* and should amongst other criteria *“respect or improving upon the character of the site and the surrounding area, in terms of its scale, height, massing (volume, shape), orientation, siting, layout, density, building materials (colour, texture), landscaping, environmental assets, and design features”*. The Masterplan Framework for the site (Land northwest of Buntingford) seeks a landscape led design approach which creates a well-connected site with a range a range of house types and sizes.

Overall design approach:

- 8.18 The proposal site comprises two logical parcels of development that would read as a natural continuation of the adjacent earlier residential development to the east. The illustrative layout plan shows how the land to north of Neale Drive can be developed in a layout with two perimeter blocks of two storey housing. Some dwelling types feature adjacent garages and on plot car parking, whilst others feature car parking within the street in front of

proposed dwellings. Areas of soft landscaping, and open space bound this area of the site to north east and west.

- 8.19 The Illustrative layout plan also shows that it is possible for the southern part of the site to be developed with two perimeter blocks of predominantly two storey housing. The southern edge of development comprises 2 storey blocks of flats with parking courts to the east and western edges of the blocks. Areas of soft landscaping and tree planting are also proposed along the eastern and western edges of this part of the site.
- 8.20 This design approach is in accordance with that identified in the Masterplan framework and is supported in principle by officers as it will provide natural surveillance of streets of open spaces, secure rear boundaries to dwellings and allow permeability through the site to provide pedestrian / cycle connections with the adjacent development to the east, and the town centre to the south.

Density / scale / massing / architecture:

- 8.21 Policy HOU2 requires that residential development makes efficient use of land whilst meeting the above criteria for good design, as well as providing sufficient open space to meet the needs of occupiers. Density is assessed considering the site-specific circumstances of each application.
- 8.22 The application proposes up to 58 dwellings which would represent a density of development of 33.5 dwellings per hectare. This is considered to be an acceptable level of density given the sites' location at the periphery of Buntingford, adjacent to recent residential development comprising predominantly 2 storeys detached and semi-detached housing.
- 8.23 The illustrative proposals comprise predominantly 2 storey scale housing but with some bungalows at the northern edge of the site, adjacent to fields, and taller buildings at more prominent corner locations. This scale is considered to be appropriate given the site context at the edge of the town, adjacent to more recent residential

development and to be in accordance with policy HD4 of the Neighbourhood Plan.

- 8.24 The concerns raised in the Design and Conservation comments are noted but in general relate to matters which will be fully assessed at reserved matters application stage. However in general terms, the proposed buildings could provide adequate surveillance to Neale Drive and with appropriate landscaping would not result in a car dominated space on the approach to the development.
- 8.25 The architectural approach of the proposals is not fully known at this stage as elevational appearance of dwellings will be a reserved matter. However, the design and access statement suggests a palette of traditional materials and building elements are likely. Again, this is considered appropriate given the pattern of development in the surrounding area and can be fully tested at reserved matters stage.

Landscape:

- 8.26 The submitted Landscape Visual Impact Assessment states that the proposals would not have an adverse impact on views in the wider landscape. The Councils Landscape Officer accepts the conclusion of this report.
- 8.27 In addition, the proposed indicative landscape strategy plan accords with the principles within the Masterplan Framework and shows that there is space for woodland buffer planting along the eastern and western edges of the site. This will help to screen the proposals from housing to the east, and to provide a visual buffer between the development and the A10 to west. These edges can also include scrub planting and areas of wildflower grassland. As such the proposals have demonstrated that there is sufficient space within the proposals to achieve a good level of landscaping.
- 8.28 Immediately adjacent to the site to the east is a landscaped buffer strip which is associated with the adjacent housing development. To ensure that residents can take advantage of this area and so that the development of this site and the site to the east is well coordinated, a

condition is recommended to secure the details of any fences to be erected, and the removal of permitted development rights relating to means of enclosures more generally to prevent boundary treatments clashing with the landscaped approach.

- 8.29 The landscaped areas have the potential to accommodate children's play provision predominantly for younger age groups. The most suitable locations for this are an area of open space located in the southern portion adjacent to a pedestrian route for younger children and a larger area in the north-west corner of the site. Details of the landscape design including play provision is secured by planning condition.

Design conclusion:

- 8.30 Urban Design Officer comments with regard to some car dominated frontages, and the southern edge of the site are noted. However, these issues can be addressed at reserved matters stage.
- 8.31 The Buntingford Community Area Neighbourhood Plan includes a design code, to ensure that developments accord with policy HD4 (which requires scheme design to respond to its context). The illustrative masterplan indicates that the scheme should be capable of meeting this code at reserved matters stage.
- 8.32 Given the above the proposals are considered to represent good quality design, which enhances the appearance of the site, adjacent village, and wider landscape, in accordance with policies DES2 and DES4.

Heritage assets

- 8.33 Conservation areas and listed buildings: Section 66 and 72 of the Listed Buildings and Conservation Areas Act 1990 require that the Local Planning Authority have special regard to the desirability of preserving or enhancing the character or appearance of a conservation area. This is reiterated within policy HA1 which states that *"Development proposals should preserve and where appropriate*

enhance the historic environment of East Herts... less than substantial harm should be weighed against the public benefits of the proposal”.

- 8.34 The site is some distance from the nearest conservation areas or listed buildings. As such the proposals would not result in any harm to heritage assets.

Transport

- 8.35 District Plan Policy TRA1 aims to promote developments are accessible and conducive to travel by sustainable transport modes. Policy TRA2 states that *“development proposals should ensure that safe and suitable access can be achieved for all users. Site layouts, access proposals and any measures designed to mitigate trip generation produced by the development should: (a) Be acceptable in highway safety terms; (b) Not result in any severe residual cumulative impact; and (c) Not have a significant detrimental effect on the character of the local environment”.*
- 8.36 The site is located approximately 1 mile from shops and services within Buntingford Town Centre. Other services such as schools are in closer proximity to the south. The town is served by bus routes to Royston, Stevenage and Hertford, although there is no train station. As such a number of services are accessible by sustainable transport modes, although a majority of trips are undertaken by private car.
- 8.37 In addition, the applicants have submitted a Transport Assessment which considers the transport impacts of the proposals. The assessment considers that the proposals will generate 31 two-way trips each in the AM and PM peaks, which is considered to have a minimal impact upon the highway network. Cycle routes along Ermine Street to the centre of Buntingford have been improved as part of the earlier housing development applications in the vicinity of the site and the proposals include pedestrian / cycle linkages to Ermine Street from Neale Drive and Baker Drive, to access this route.
- 8.38 Comments from the Urban Design Officer regarding pedestrian connectivity to the east and the adjacent housing development are

noted. Officers consider that in principle additional connectivity is appreciated but the number of hard paved formal pedestrian footpaths should be carefully considered, so as not to undermine the landscaped spaces around the site. As such this issue can be adequately addressed at reserved matters stage as part of the detailed landscape proposals.

- 8.39 Tracking drawings have also been provided to show how waste collection and servicing vehicles can access and service the whole site. In addition, details have been provided to show the visibility splays for the proposed accesses from the A10.
- 8.40 The Transport Assessment has been reviewed by County Highways Officers, who consider the highway impacts of the proposals to be acceptable and have not objected to the proposals, subject to attachment of a number of conditions. As such the proposals are not considered likely to have an adverse impact on highway safety.
- 8.41 Cycle / car parking: District Plan Policy TRA3 states that developments should provide sufficient cycle and vehicle cycle parking to meet required standards (1.25 spaces for 1-bed, 1.5 spaces for 2-bed, 2.25 spaces for 3-bed and 3 spaces for 4 bed dwellings). Provision of 94 car parking spaces would therefore be required to meet the indicative housing mix for the proposals.
- 8.42 The Transport Assessment includes information on car ownership in the surrounding area, and notes that 38% of households own 2 vehicles, and 43% own 1 or fewer vehicles, and this information as well as policy TRA3 has informed car parking provision at the site. 120 residential parking spaces are proposed which would include at least 2 spaces for houses and 1 space for flats. No information is provided with regard to Electric Vehicle Charging Points (1 point per dwelling), but as car parking spaces are designated, and mostly provided on each plot, provision of a proportion of car parking spaces as EV charging spaces to be secured by condition. The proposed car parking provision would exceed that required in policy terms and is considered to be acceptable. Particularly when

considering levels of car ownership, the provision of cycle parking and the location of the site on the edge of a town.

- 8.43 No details of cycle parking have been provided. The illustrative parking plan shows each house has a garden which could accommodate some cycle parking, as well as a building at the rear of the block of flats which could be used for cycle parking for this block. Full details of cycle parking provision can be secured at reserved matters stage. Subject to these conditions car / cycle parking provision exceeds the requirements of District Plan.

Sustainability / water management

- 8.44 District Plan Policy DES1 promotes incorporation of sustainable building design principles in new development, including an energy hierarchy approach which first looks at reducing energy demand through building fabric measures such as insulation and air tightness, followed by efficient energy supply and finally incorporation of on-site renewable energy. Policies WAT4 and WAT5 require efficient use of water and Sustainable Drainage Systems, which aim to collect and retain water within the site, reducing runoff to green field rates.
- 8.45 The applicants have stated that the development will incorporate a fabric first approach to sustainability with levels of insulation, air tightness and double glazing. Energy efficient lighting, services and controls are also proposed in order to reduce energy demand for space heating, cooling ventilation and lighting. In addition, the proposed development is intended to be all electric with heat pumps and photovoltaic panels to meet heating and cooling requirements as well as some electricity demand. Dwellings are designed to meet the governments 'Future Homes Standard' in 2025 which requires that they have a 31% lower level of carbon emissions than 2022 building regulations. In terms of water efficiency, water consumption within the new dwellings will meet or exceed the higher efficient target consumption rate of 110 litres per person per day.

- 8.46 The site is within flood zone 1 and at low risk of flooding. In addition, a revised Surface Water Drainage Strategy has been submitted. Infiltration is not considered to be feasible due to ground conditions. Permeable paving and above ground attenuation such as basins and dry swales are proposed which would have greater landscape and biodiversity benefit than below ground attenuation as originally proposed. Runoff rates are designed to accord with adjacent sites (6.3-6.6L per second). These measures are considered to address the previous Lead Local Flood Authority comments although they have not yet responded to the revised information. In any case, officers are satisfied that the scheme can be suitably drained to not result in the proposal or other surrounding properties being at significant risk of flooding and that a condition can secure details of sustainable drainage measures.
- 8.47 As such subject to conditions regarding drainage, and water / energy efficiency measures to proposals are in accordance with policy DES1, WAT4 and WAT5 regarding sustainability and water management.

Trees, Ecology and Biodiversity

- 8.48 District Plan Policy NE2 states that *“All proposals should achieve a net gain in biodiversity where it is feasible and proportionate to do so, as measured by using and taking into account a locally approved Biodiversity Metric, and avoid harm to, or the loss of features that contribute to the local and wider ecological network”*.
- 8.49 Policy NE3 states that *“Development should always seek to enhance biodiversity and to create opportunities for wildlife...with evidence provided in the form of up-to-date ecological surveys”*. Part II-VIII of the policy also state that harm to trees and hedgerows will be resisted, and that bird and bat boxes will sought on new development bordering open space.
- 8.50 The applicants have submitted an Ecology Survey which considers the development will not result in harm to protected species subject to mitigation measures, that initial works should not take place during the bird nesting season. In addition, several enhancements

are recommended including bird / bat boxes, hedgehog friendly fencing. Soft landscaping is identified as being capable of delivering an 11.5% Biodiversity Net Gain. These measures are considered to meet the requirements of the above policies subject to securing proposed the mitigation and enhancement measures by condition.

- 8.51 In addition, an Arboricultural Impact Assessment has been submitted which considers potential impacts on trees and hedgerows. The site contains one single category B Oak tree and one group of trees of low quality (category C). Groups of trees of good quality (category B) and a hedge (category C) are located outside the site boundary but along its edges with the A10 and to the north. The category B Oak tree is proposed to be retained and incorporated into the development within one of the proposed streets. Some hard surfacing is likely to be required within the Root Protection Area of this tree but provided this undertaken using no dig methods then the proposals were not considered likely to impact unduly on its health. Other hedgerow tree groups adjoining the site will be unaffected by the proposals. The group of category C trees on the site would be removed and appears to comprise of roughly 6 poor quality trees. The indicative masterplan shows significant additional tree planting.
- 8.52 As such subject to conditions regarding tree protection the proposals are considered acceptable regarding tree impacts. Landscape conditions are also proposed to secure a scheme of landscaping across the site, including some new tree and hedgerow planting, and incorporation of native species.

Amenity / pollution

- 8.53 Daylight / sunlight / overlooking existing occupiers: The proposals are a sufficient distance from neighbouring houses or screened by landscaping that they will not result in undue loss of daylight, sunlight or sense of enclosure to existing housing.
- 8.54 Amenity for proposed occupiers: The illustrative layout plan shows potential dwelling sizes which are capable of complying with Nationally Described Space Standards, with the exception of 6x2 bed

bungalows which are at least 3sqm below the required 61sqm standard. However, there is sufficient space within the site that these units could be increased in size at reserved matters stage, which is likely to be necessary.

- 8.55 Garden areas are provided for each dwelling ranging from 50 to 100sqm within the illustrative layout. In addition, a 470sqm rear courtyard area is provided which could serve as amenity space for the block of 18 flats. The illustrative layout also shows separation distances are also at least 19m between windows of habitable rooms.
- 8.56 As such it has been demonstrated that reserved matters applications would provide an acceptable standard of amenity for future residents, in terms of daylight, privacy and external amenity space.
- 8.57 Noise: The site is in proximity to the A10 which experiences high volumes of vehicle traffic and associated noise. An acoustic report has been submitted with the application which concludes that standard thermal double glazing will be adequate in controlling external noise levels for the majority of the Site. However, any habitable room located on the western facades of the proposed block of flats (plots 46-54) overlooking the A10 will require upgraded glazing.
- 8.58 In addition, with an open window however, various living room and bedroom plots with line of sight to the A10 exceed the internal target noise criteria and so alternative ventilation (a window frame mounted acoustic trickle ventilator) has been recommended. This Assessment states that with regards to road traffic noise, the majority of garden areas across the Development fall below 55dB LAeq,16hr, but garden areas with their side facing the A10 require acoustic fences ranging in height from 1.8m to 1.9m high have been specified in order to ensure noise levels in these garden areas achieve the 55dB
- 8.59 The council's Environmental Health Officers have reviewed this assessment and have no objections in relation to noise impacts, provided conditions are attached to secure internal noise levels in line with relevant standards.

- 8.60 Ground contamination: A Ground contamination report has also been submitted which considers ground conditions at the site. The report considers that as the site was previously green fields there is low risk of contamination.
- 8.61 The Council's Environmental Health Officers have reviewed the report and accept these recommendations, subject to a condition requiring further site investigation.
- 8.62 Air Quality: The Council's Environmental Health Officers have requested several conditions to help manage air quality including Construction Management Plan; electric vehicle charging points; control on emissions from gas boilers. The applicant's sustainability strategy proposes an all-electric approach for heating / cooling and as such gas fired boilers are unlikely to be used. The above are all proposed as conditions.

Community Infrastructure

- 8.63 A range of contributions have been requested by the Council's Infrastructure Contributions Officer to so that infrastructure in the town can support additional residents from the development. In addition the Town Council have also identified a need for resurfacing the MUGA at a cost of £64,000.
- 8.64 These contributions have been discussed with the applicant and some contributions (Play space provision, green space, sports hall and playing pitches) are not considered necessary as they are provided on site, or as part of the contribution towards the resurfacing of the MUGA with a 3G surface which will provide fit for purpose sport provision in all weathers.
- 8.65 As such the following contributions will be secured as part of the Section 106 agreement towards local infrastructure: allotments (£10,258), bowls (£13,969), fitness / gym (£14,754), outdoor tennis (£9750), parks (£57,175), recycling (£4408), studio space (£6095),

swimming pools (£33,950), community space (£40,186), resurfacing of MUGA with 3G surface (£64,000).

- 8.66 In addition the Hertfordshire County Council Infrastructure Officer has requested contributions towards primary school / early years provision (build costs £338,944 + land costs £54,500); middle school (£227,005); Upper Education towards the expansion of Freman College (£282,581); Special Educational Needs and Disabilities (SEND) towards the new East Severe Learning Difficulty (SLD) School (£52,788); Library Service towards increasing the capacity of Buntingford Library or its future re-provision (£4,740); Youth Service towards the Buntingford Young People's Centre or its future re-provision (£10,855); and Monitoring Fees (£340 per trigger point).
- 8.67 All the above contributions are proposed to be secured by heads of terms within the Section 106 agreement.

9.0 Planning Balance and Conclusion

- 9.1 The proposals will provide additional housing in a sustainable location which would help meet housing need, including affordable housing and could contribute towards the councils 5-year housing land supply. The illustrative information shows that a development of up to 58 dwellings can be achieved with a high standard of design in accordance with the adopted masterplan framework for the site.
- 9.2 The proposals are also considered to be acceptable in relation to transport impacts, sustainability, drainage and residential amenity. Subject to financial contributions towards delivery of additional capacity, the proposals would not result in undue pressure upon local facilities. Appropriate mitigations for potential impacts around biodiversity / sustainability and water management can be secured by condition. As such the proposals are considered to accord with all relevant District Local Plan policies.

Grant planning permission subject to completion of a Section 106 agreement with the following heads of terms, and the following conditions:

Heads of Terms

- Affordable housing scheme comprising at least 40% of total housing units, with tenure split of %75 affordable rented and 25% affordable ownership, with size of units to be agreed at reserved matters stage,
- Details of on-site children's play provision as well as management arrangements
- Financial contributions towards the following: allotments (£10,258)
- bowls (£13,969),
- fitness / gym (£14,754),
- Outdoor tennis (£9750),
- parks (£57,175),
- recycling (£4408),
- studio space (£6095),
- swimming pools (£33,950),
- community space (£40,186),
- Contribution towards resurfacing of MUGA with 3G surface (£64,000);
- primary school / early years provision (build costs £338,944 + land costs £54,500);
- middle school (£227,005);
- Upper Education towards the expansion of Freman College (£282,581);
- Special Educational Needs and Disabilities (SEND) towards the new East Severe Learning Difficulty (SLD) School (£52,788);
- Library Service towards increasing the capacity of Buntingford Library or its future re-provision (£4,740);
- Youth Service towards the Buntingford Young People's Centre or its future re-provision (£10,855);
- Legal and Monitoring Fees

Conditions

Time limit

1. Applications for approval of the Reserved Matters shall be made to the Local Planning Authority not later than three years from the date of this permission. The development hereby permitted shall begin no later than two years from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990

In accordance with approved plans

2. The development hereby approved shall be carried out in accordance with the approved plans listed below:
Location Plan (drawing number 021-013-1000-P1)
Parameters Plan (drawing number 021-013-104 P1)
Proposed Access Arrangements (drawing number 1811-10 PL04)

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

Reserved matters to be submitted

3. The Details of the (i) Appearance, (ii) Layout (iii) Landscape (iv) and scale defined by the Town and Country Planning (General Development Procedure) Order 1995 (as amended) (hereinafter called "the Reserved Matters") of the development shall be submitted to and approved in writing by the Local Planning Authority before the phase of development commences. the phase of development shall be carried out in accordance with the Reserved Matters as approved, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure that the Local Authority is satisfied with the details of the proposed development

Pre commencement

Construction management plan

4. No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan: The Construction Management Plan shall include details of:
 - a. Construction vehicle numbers, type, routing;
 - b. Access arrangements to the site;
 - c. Traffic management requirements;
 - d. Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
 - e. Siting and details of wheel washing facilities;
 - f. Cleaning of site entrances, site tracks and the adjacent public highway;
 - g. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
 - h. Provision of sufficient on-site parking prior to commencement of construction activities;
 - i. Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
 - j. where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, temporary pedestrian routes/signage and remaining road and PROW width for pedestrian and vehicle movements.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

Ground contamination scheme

5. The 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 for each phase in writing by the local planning authority. The scheme shall include all of the following measures, unless the local planning authority dispenses with any such requirement specifically in writing:
 - i. A Phase I site investigation report for each phase 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.
 - ii. A Phase II intrusive investigation report for each phase 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.
 - iii. A remediation scheme for each phase 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.
 - iv. 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.

- v. A validation report for each phase 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 each phase 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.

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 the National Planning Policy Framework, and in order to protect human health and the environment in accordance with policy EQ1 of the adopted East Herts District Plan 2018.

Surface water drainage scheme

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

Reason: In the interests of sustainable drainage in accordance with policy WAT5 of the East Herts District Plan 2018.

Landscape Environmental Management Plan

7. Development shall not commence until a LEMP has been submitted to and approved in writing by the local planning authority to achieve a net gain in biodiversity and include the following:
- a) Description and evaluation of features to be managed
 - b) Aims and objectives of management
 - c) Appropriate management options for achieving target condition for habitats as described in the approved metric
 - d) Details of management actions
 - f) Details of the body or organisation responsible for implementation of the plan
 - g) Ongoing monitoring plan and remedial measures to ensure habitat condition targets are met
 - h) Details of species and mixes selected to achieve target habitat conditions as identified in approved metric
 - i) Location of bat and bird boxes/structures
 - j) Compliance with the mitigation measures set out in Section 6 of the Ecological Appraisal

The plan shall be implemented as approved for the life of the development.

Reason: This Management Plan is required to secure the protection of and proper provision for protected species and habitats of ecological interest in accordance with Policies NE2 and NE3 of the East Herts District Plan 2018 and to ensure the provision, establishment and maintenance of a reasonable standard of landscaping in accordance with Policies DES3 and DES4 of the East Herts District Plan 2018.

Prior to occupation

Details of external materials

8. Prior to any above ground construction works being commenced, the external materials of construction for the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority, and thereafter the development should be implemented in accordance with the approved details.

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

Car / cycle parking

9. No above ground construction on the hereby approved development shall take place until details of car / cycle parking provision which shall have regard to the Council's Vehicle Parking SPD have been submitted for approval by the local planning authority. The approved vehicle parking shall thereafter be implemented prior to first occupation, retained and maintained in full accordance with the approved details.

Reason: Reason In order to promote sustainable transport and reduce environmental impacts in the District in accordance with Policy TRA1 Sustainable Transport, EQ4 Air Quality, DES4 Design of Development of the adopted East Herts District Plan 2018 and the East Herts Vehicle Parking Standards SPD 2007.

Electric Vehicle Charging Points

10. The occupation of the development authorised by this permission shall not begin until the details of the siting, type and specification of Electric vehicle charging points (EVCPs) (with one EVCP provided per dwelling unless otherwise agreed), the energy sources and the strategy/management plan for supply and maintenance of the EVCPs have been submitted to and approved in writing by the Local Planning Authority. All EVCPs shall be installed in accordance with the

approved details and permanently maintained and retained. No dwelling shall be occupied until the EVCP serving that dwelling has been installed.

Reason: To ensure construction of a satisfactory development and to promote sustainable development in accordance with Policies 5, 19 and 20 of Hertfordshire's Local Transport Plan (adopted 2018)

SuDs Management Plan

11. Upon completion of the drainage works for the site, a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
 1. Provision of a complete set of built drawings for site drainage.
 2. Photos demonstrating the installation of SuDS features.
 3. Details of all maintenance and operational activities for drainage systems on site.
 4. Arrangements for adoption and any other measure to secure the operation of the scheme throughout its lifetime. Confirmation of who will be adopting and maintaining the system will be required.

Reason: To ensure the site is appropriately drained as required by policies WAT1 and WAT5 of the East Herts District Plan 2018.

Building Sustainability Measures

12. Prior to commencement of above ground works, details of sustainability measures to be incorporated with the development including energy efficient construction techniques, energy efficient lighting, services and controls, efficient energy supply, water efficiency measures which show that the higher building regulations standard (G2) for water efficiency (110L per day) is met, compliance with Future Homes standard (unless otherwise agreed) shall be submitted for approval to the local planning authority. The

development, hereby permitted, shall be implemented and thereafter maintained in full accordance with these details.

Reason: In the interests of reducing carbon dioxide emissions and promoting the principles of sustainable construction (East Herts Sustainability SPD 2021).

Travel Plan Statement

13. At least two months before first occupation, a revised Travel Plan Statement for the residential development shall be submitted and approved in writing by the Local Planning Authority in consultation with the Highway Authority. This shall consist of a written agreement with the County Council setting out a scheme to encourage, regulate, and promote sustainable travel measures for owners, occupiers, and visitors to the development in accordance with the provisions of the County Council's 'Travel Plan Guidance for Business and Residential Development'. The Plan shall be implemented in full thereafter.

Reason: To promote sustainable travel measures to the development, in accordance with paragraphs 110-112 of the NPPF and HCC's LTP4 policies 1, 3, 5, 6, 7, 8, 9, 10.

Detailed design of site accesses

14. Before first occupation of the development, additional plans must be submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority, which show the detailed engineering designs and construction of the two site accesses and associated highway works, as shown indicatively on drawing number 1811-10 PL04. These works shall be constructed to the specification of the Highway Authority and Local Planning Authority's satisfaction, and completed before first occupation of the development. This shall include the permanent provision of the visibility splays as shown on these plans: 2.4m x 43m in both directions, within which there shall be no obstruction to visibility between 600mm and 2 metres above the carriageway level.

Reason: To ensure the provision of vehicle accesses which are safe, suitable, and sustainable for all highway users.

Foul drainage capacity

15. No development shall be occupied until confirmation has been provided that either:- 1. Foul water Capacity exists off site to serve the development, or 2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan, or 3. All Foul water network upgrades required to accommodate the additional flows from the development have been completed.

Reason: Network reinforcement works may be required to accommodate the proposed development.

Biodiversity enhancement measures

16. Prior to the occupation of the development, details of biodiversity enhancement measures in the ecological report, consisting of 29 integrated bat cavity boxes and 29 integrated swift boxes, shall be submitted to and approved in writing by the local planning authority. The approved measures shall be incorporated into the scheme, be fully constructed prior to occupation of the approved development and retained as such thereafter.'

Reason: To conserve and enhance biodiversity in accordance with NE3 VII and NPPF.

Waste and recycling storage details

17. Prior to occupation of the development full details of onsite storage for waste and recycling shall be submitted to and approved in writing

by the local planning authority. Such details shall include the specific positions of where wheeled bins will be stationed and specific arrangements to enable collection within 15m of the kerbside of the adopted highway / refuse collection vehicle access point. The approved facilities shall be provided prior to commencement of the use hereby permitted, and shall be retained and maintained thereafter, unless alternative arrangements are agreed in writing by the local planning authority.

Reason: To protect the amenity of nearby residents and in the interests of visual amenity.

Pedestrian footpath links

18. The hereby approved development shall not be occupied until details of pedestrian footpath connections from the site to the adjacent housing development and land to the south are submitted for approval to the local planning authority. The development shall not be occupied until the approved details are implemented in full prior and shall be retained and maintained thereafter.

Reason: To support active travel and to ensure that the development integrates appropriately with surrounding built environment.

Compliance conditions

Trees and hedges retained

19. 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, demolition and construction, or any subsequent relevant British Standard, 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.

Hours of construction

20. No plant or machinery shall be operated on the site during the construction phase of the development hereby permitted before 0730hrs on Monday to Saturday, nor after 1800hrs on weekdays and 1300hrs on Saturdays, nor at any time on Sundays or bank holidays.

Reason: To safeguard the amenities of residents of nearby properties, in accordance with Policy EQ2 of the East Herts District Plan 2018.

Reserved matters mix of unit sizes

21. Concurrent with the submission of reserved matters, the housing mix for a Phase shall be submitted to and agreed in writing with the local planning authority. This shall include a schedule of the mix of house types and sizes to be provided within the reserved matters, which shall take account of the latest Strategic Housing Market Assessment and any additional up-to-date evidence, unless otherwise agreed. The approved details shall be adhered to in the reserved matters applications submitted for that Phase.

Reason: To ensure that an adequate mix of housing by unit/tenure/position is provided

Reserved matters to comply with National Space Standards

22. Reserved Matters Applications shall demonstrate that all of the residential units hereby approved will be designed and constructed as far as practicable to meet the standards contained within the Nationally Described Space Standards (unless otherwise agreed).

Reason: To ensure that reasonable living conditions for future occupiers

Reserved matters details of boundary treatments

23. Reserved matters applications shall include details of boundary treatments both to delineate public and private defensible space, as well as the boundaries of the site with adjacent land. The submitted details shall demonstrate that there would be no walls / fencing restricting access between the site and neighbouring housing development to the east / land to the south.

Reason: To ensure that the development integrates appropriately with surrounding environment.

Checklist against Buntingford Neighbourhood Plan Design Code

24. Reserved matters applications shall be accompanied by a checklist against the Buntingford Neighbourhood Plan Design Code.

Reason: In order to ensure a high standard of design and accordance with the Buntingford Neighbourhood Plan.

M4(2) Dwellings

25. All dwellings within the development (except those completed to M4(3) requirements) hereby approved shall be completed in compliance with Building Regulations Optional Requirement Part M4(2) 'accessible and adaptable dwellings' (or any subsequent replacement) prior to first occupation and shall be retained as such thereafter.

Reason: To ensure that the proposed development is adequately accessible for future occupiers.

M4(3) dwellings

26. At least 10% of all dwellings within the development hereby approved shall be completed in compliance with Building Regulations Optional Requirement Part M4 (3) 'wheelchair user dwellings' (or any subsequent replacement) prior to first occupation and shall be retained as such thereafter, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the proposed development is adequately accessible for future occupiers.

Reserved matters not more than 58 units

27. Reserved matters applications shall not exceed 58 residential units, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the development is in accordance with the regulatory plans and particulars of the application.

Reserved matters hard surface requirements

28. The detailed plans submitted in connection with approval of reserved matters shall show to the satisfaction of the Local Planning Authority:
- The details of all hard surfaced areas within the site. This includes, but is not limited to, all roads, footways, forecourts, driveways, parking and turning areas, and foul and surface water drainage.
 - The level of footway and carriageway visibility from each individual vehicle access, and the level of visibility from and around each main junction within the site, within which there shall be no obstruction to visibility between 600mm and 2 m above the carriageway level.
 - That service vehicles, including refuse and emergency vehicles, can safely and conveniently access and route through the site, to include the provision of sufficient turning and operating areas.
 - The provision of

sufficient facilities for cycle storage. All these features shall be provided before first occupation and maintained in perpetuity.

Reason: To provide adequate visibility for drivers within the site, to promote alternative modes of travel, and for the overall free and safe flow of all site users.

Internal noise levels

29. The noise levels in habitable rooms (living rooms and bedrooms) and the external amenity areas at the development hereby approved shall meet the amenity standards in accordance with the criteria of BS 8233:2014 'Guidance on sound insulation and noise reduction for buildings' for internal rooms and external amenity areas. Construction methods and materials to achieve this shall be implemented prior to use of the development and thereafter be permanently retained.

Reason: In order to ensure an adequate level of amenity for future occupiers of the proposed development in accordance with Policy EQ2 Noise Pollution and DES4 Design of Development of the adopted East Herts District Plan 2018.

Best Practical Means for construction

30. Best Practicable Means (BPM) shall be used in controlling dust emissions during all site preparation, demolition, construction and ancillary activities.

Reason: In order to ensure an adequate level of amenity for nearby residents in accordance with Policy EQ4 Air Quality of the adopted East Herts District Plan 2018.

Informatives

1. Other legislation

2. Archaeological interest
3. Public Rights of Way
4. No use of cranes or tall equipment
5. Bats

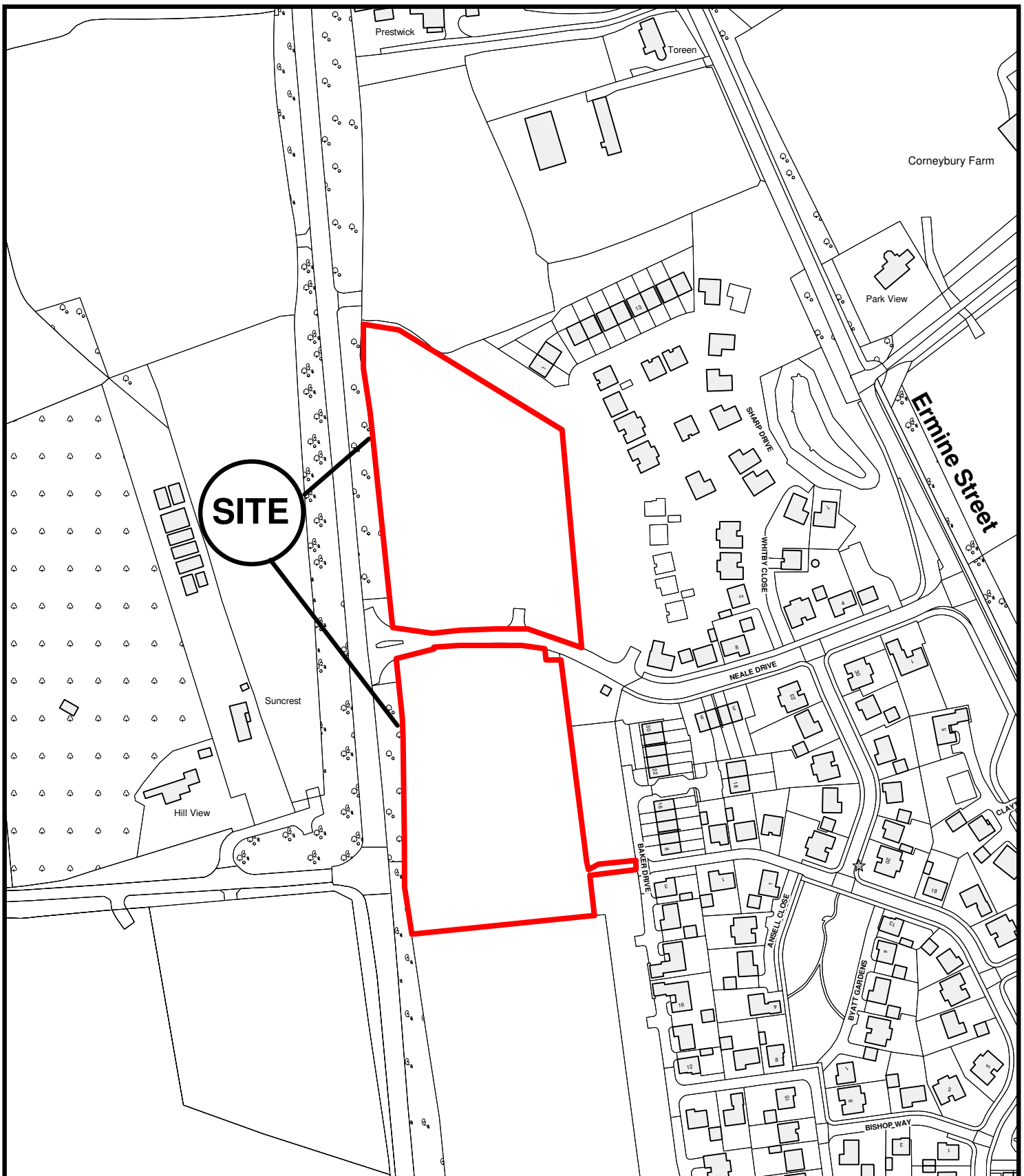
Justification to grant

Informative for electric vehicle charging points Electric vehicle charging point specification for domestic installations cable and circuitry ratings should be of an adequate size to ensure a minimum continuous current demand for the vehicle of 16A and a maximum demand of 32A (which is recommended for Eco Developments). • A separate dedicated circuit protected by an RCBO should be provided from the main distribution board, to a suitably enclosed termination point within a garage, or an accessible enclosed termination point future connection to an external charging point. • The electrical circuit shall comply with the electrical requirements of BS7671:2008 as well as conform to the IET code of practise on Electric Vehicle Charging Equipment Installation 2012 ISBN 978-1-84919-515-7. Additional guidance on charge point installation is available from the Office for Zero Emission Vehicles at

<https://www.gov.uk/government/organisations/office-for-zero-emission-vehicles>

Plans for Approval:

Plan Ref	Version	Received
021-013-1000	P1	16/05/2022
021-013-101	P1	16/05/2022
021-013-104	P1	16/05/2022
1811-10-PL04		07/02/2023
1811-10-PL05		07/02/2023



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

Page 54

Address: Land To The North-west Of Buntingford (East Of The A10)
Located Off Neale Drive And Phillips Way, Buntingford

Reference: 3/22/1030/OUT

Scale: 1:2500

O.S Sheet: TL3530

Date of Print: 24 March 2023

DEVELOPMENT MANAGEMENT COMMITTEE – 5 APRIL 2023

Application Number	3/22/2200/FUL
Proposal	Redevelopment of the site to provide industrial units (Use Classes E(g)iii and/or B2 and/or B8) and associated works including vehicle parking, ancillary structures and landscaping
Location	Land and Buildings at Hertford Industrial Estate, Caxton Hill, Hertford, SG13 7NE
Parish	Hertford Town Council
Ward	Hertford Castle

Date of Registration of Application	27 th October 2022
Target Determination Date	26 th January 2023
Reason for Committee Report	Major
Case Officer	Diane Verona

RECOMMENDATION

That planning permission is **GRANTED**, subject the conditions set out at the end of this report and subject to a Section 106 legal agreement.

1.0 Summary of Proposal and Main Issues

1.1 This is a full planning application which seeks planning permission for the redevelopment of the site to provide industrial units (Use Classes E(g)iii and/or B2 and/or B8) and associated works including vehicle parking, ancillary structures and landscaping.

1.2 The main considerations in the determination of the application are:

- Whether the proposed uses are acceptable in principle.
- Whether the proposed development will provide satisfactory arrangements for pedestrian and vehicular access, a

satisfactory level of car and cycle parking and has an acceptable impact on the local highway network.

- Whether the proposed development will provide an appropriate layout (which adequately addresses climate change), scale and appearance (including landscaping) and satisfactorily addresses flood risk and biodiversity net gain requirements.
- Whether the proposed development would have an acceptable impact on neighbouring amenity.
- Whether overall, this is a sustainable form of development that is appropriate at this site, having regard to policies in the East Herts District Plan 2018, and the National Planning Policy Framework 2021.

2.0 Site Description

2.1 The application site measures approximately 3.88 ha and comprises a collection of industrial units at Hertford Industrial Estate. It is accessible from Caxton Hill, off Ware Road (the A119).

2.2 The subject site comprises commercial buildings that provide in excess of 12,000 sq. metres of floorspace within use classes B1, B2, B8 and sui generis use. There are 26 units at the site, with a number of the units being vacant. Accessibility to the site is constrained; being provided via Caxton Hill Road; through a predominantly residential area onto the A119 (Ware Road). In addition, cycle and pedestrian access (only) is available via the surface.

2.3 Business Park. Access to the A414 Foxholes roundabout through the Foxholes Business Park is currently prevented by a fixed barrier between Caxton Hill and John Tate Road.

2.4 The majority of the existing site features a number of units that are accessed from the section of Caxton Hill that runs west to east;

there is also a collection of units at the north eastern end of the site that measure between 5-6 metres in height and are accessed from the section of Caxton Hill that runs north to south.

- 2.5 The site is an established employment use. The existing units were constructed during the 1960s and have historically been used for a range of industrial type uses including workshops and warehouses. The site provides a significant amount of surface level car parking to serve the existing industrial units and currently provides a total of 105 car parking spaces for staff and visitors.
- 2.6 The existing buildings are located adjacent to the larger scale Fluorocarbon buildings (to the north east) which feature three separate buildings fronting the site entrance at Caxton Hill. The adjacent Fluorocarbon buildings are of a more significant scale, when considering the level changes across the site.
- 2.7 There are a number of trees that are protected by a Tree Preservation Order (TPO) located along the site's southern boundary (reference TPO 278 03/1988).

3.0 Planning History

- 3.1 The following planning history is of relevance to this proposal:

Application Number	Proposal	Decision	Date
3/22/1626/DEM	Demolition of buildings	Prior Approval Required/Grant with Conditions	25.08.2022
3/22/1906/CLPO	Replacement of roof, walls, re-cladding and replacement of windows and doors to	Grant Certificate of Proposed Development	17.11.2022

	buildings FC1 and FC2		
X/22/0379/CND	Discharge condition 3 (Demolition Method Statement / Construction Management template) attached to 3/22/1626/DEM.	Discharge in Full	22.11.2022

It is noted that there have been numerous older applications for individual units within the site from the 1970's through to the early 2000's with regard to their use at that time

4.0 **Main Policy Issues**

4.1 The main policy issues relate to the relevant planning policies in the East Herts District Plan 2018 and the National Planning Policy Framework 2021 (NPPF) as set out below:

Main Issue	NPPF	East Herts District Plan
Principle of Development	Chapter 2, 4, 6, 7, 11	INT1, DPS1, DPS2, DEL1, DES1, ED1 HERT6
Layout, Scale, Appearance, Landscaping	Chapter 8, 11, 12, 15	DES1, DES3, DES4, DES5, NE3,
Highway Impacts	Chapter 9	TRA1, TRA2, TRA3,
Impact on Amenity	Chapter 4, 12	DES2, DES3, DES4, EQ1, EQ2, EQ3, EQ4
Energy, Sustainability and Drainage	Chapter 14	CC1, CC2, WAT4, WAT5, WAT6

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

5.0 Summary of Consultee Responses

- 5.1 HCC Highway Authority - The applicant has subsequently revised their proposals to include the bollards/barrier shown on 5076 SK 1101 Rev A. The detailed design and maintenance of the bollards/ barriers is subject to Condition and will facilitate the construction of the development and the opening of the units 5-11 and 13-16.

In order to facilitate the occupation of unit 12 of the proposed development and improve sustainable access to the proposals site in line with LTP4 the applicant has offered through their revised supporting Transport Assessment (TA, 09 February 23) to relocate the existing mobility filter to Caxton Hill "This barrier is proposed to be secured through a Grampian condition". The revised TA (09 February 2023) also addressed the substantial inadequacies of the previous documents and therefore HCC Highways DM withdraw their holding objection subject to securing conditions and financial contributions.

- 5.2 Lead Local Flood Authority – Raised objections based around the rate of discharge of water from the site and other concerns with the surface water drainage strategy. An updated drainage strategy has been submitted which is being considered by the Lead Local Flood Authority.
- 5.3 Affinity Water – Confirmed they had no comments to make on the proposals.
- 5.4 EHDC Conservation and Urban Design Advisor – No objection subject to conditions.
- 5.5 EHDC Landscape Officer – No objections.

- 5.6 EHDC Environmental Health Noise and Nuisance – No further objection subject to conditions should planning permission be forthcoming
- 5.7 EHDC Environmental Health Contaminated Land/Air Quality – Object as not able to comment fully on air quality impacts until highways has agreed the transport assessment inputs. Conditions recommended to address contamination and air quality.
- 5.8 HCC Minerals and Waste – No objection subject to condition.

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

6.0 Town/Parish Council Representations

- 6.1 Hertford Town Council are in favour of this site being retained and redeveloped for industrial units.
- 6.2 They were pleased with the proposed new access for lorries from John Tate Road but concerned about misuse of the road as a shortcut to avoid traffic congestion unless some measures are put in place to prevent this.
- 6.3 They noted that as heavy goods vehicles will be using John Tate Road, they would like to see a safe walking route provided from the well-used informal path from Kingsmead to London Road.
- 6.4 They would like more detail provided on sustainability of the site such as inclusion of solar photovoltaic panels and insulation.

7.0 Summary of Other Representations

- 7.1 47 responses have been received with 5 being neutral, 9 objecting and 33 supporting the proposals.
- 7.2 The 9 written representations objected to the proposal on the following grounds:

- Long traffic jams at the John Tate roundabout especially commuter times block access to our homes in Balls Park.
- The access on John Tate Road will increase the volume of traffic substantially. There is already a number of parked cars which is hazardous. At a minimum the entrance road needs to be double yellow lined.
- Opening up the road to Caxton Hill will provide a new rat run for people to avoid the Gascoyne Way round about.
- Access along John Tate Road to Caxton Hill is already full of parked cars making it difficult for any vehicle to get through particularly HGVs. It is simply not big enough to take extra traffic.
- There are people working on the estate and children walk through twice a day to get to school, and their parents often park on the estate to drop them off. This is not compatible with the traffic that will be generated by the development.
- Will result in more traffic into and out of town on the already congested London Road.
- Caxton Hill already has a designated access which should be utilised to keep traffic out of the town centre roads.
- Large vehicles already try to find short cuts through Hertford and a primary access through John Tate Road to Caxton Hill will mean additional traffic trying to find a way through.
- Part of the Planning Application involves the development of land over which a resident has full vehicular right of way.
- Vehicular traffic and parking are already an issue, the proposed development would significantly add to the problem. Access

from John Tate Road onto the A414 is poor and often results in queues, especially at rush hour in the evenings.

7.3 It is noted that the application site does not lie within but adjoins the Kingsmead Neighbourhood Plan (KNP) to the north east and south west boundaries. The Chair of the Kingsmead Neighbourhood Plan objects to the application summarised as follows: -

- The KNP has two important policies on active travel: HKTP1 and HKTP2. HKTP1 is primarily concerned with increasing the number, connectivity and ease of use of walking paths while HKTP2 deals with the same aims for cycle paths.
- Concerns raised over any access from Ware Road being used.
- In favour of John Tate Road being the main access to the site.
- Concerns raised in regard to local wildlife should excessive external lighting be used.
- Opportunity to increase access to the site from public transport, additions to local bus routes and railway station access.

7.4 33 letters have been received in support of the proposal that welcome the regeneration of a derelict site and that it is to be retained for employment purposes which will provide a great number of job opportunities that will be available for people in the locality. In addition, the opening of access from John Tate Road as the main commercial access to the site is also welcomed together with the increased pedestrian access through the site and the proposed landscaping on the boundaries.

8.0 Consideration of Issues

Principle of Development

- 8.1 The East Herts District Plan 2018 looks to guide development. The application site lies within the built up area of Hertford and Policy DPS2 (The Development Strategy 2011-2033) of the East Herts District Plan outlines that the strategy of the Plan is to deliver sustainable development in accordance with a hierarchy of sites. In this regard, preference is given to sites within the urban areas of Bishop's Stortford, Buntingford, Hertford, Sawbridgeworth and Ware. As this is a site in Hertford and in a sustainable location, the proposal accords with policy DPS2.
- 8.2 The site currently provides a low level of jobs due to a combination of factors including the overall condition of the units which are generally poor and clearly in need of upgrading, constrained accessibility and the vacancy rate at the site.
- 8.3 Notwithstanding the above, the site is situated in a designated Employment Area (a) Caxton Hill as outlined by Policy HERT6 in the East Herts District Plan 2018.
- 8.4 The proposed development site is principally governed by Policy HERT6 however, Policy ED1 is also relevant which states:

Within designated Employment Areas (as defined on the Policies Map), land is allocated for industry, comprising Use Classes B1 (Business), B2 (General Industrial) and where well related to the primary road network, B8 (Storage and Distribution).

The provision of new employment uses will be supported in principle, where they are in a suitable location where access can be achieved by a choice of sustainable transport and do not conflict with other policies within this Plan. New employment floorspace should be of a flexible design, able to respond to the changing needs of small and growing enterprises, be energy efficient in construction and operation (in accordance with the Council's Design and Landscape, and Climate Change policies in Chapters 17 and 22) and have fully integrated

communications technology, in line with Policy ED3 Communications Infrastructure.

- 8.5 The proposal is for the redevelopment of the site to provide office, commercial and industrial floorspace and so accords with the above policies and is acceptable in principle.

Design layout, landscape, character and appearance

- 8.6 Policy DES3 of the East Herts District Plan 2018 states that development proposals must demonstrate how they will retain, protect and enhance existing landscape features which are of amenity and/or biodiversity value, in order to ensure that there is no net loss of such features. Where losses are unavoidable and justified by other material considerations, compensatory planting or habitat creation will be sought either within or outside the development site. Replacement planting schemes should comprise mature, native species appropriate to the local conditions and landscape character, supported by a monitoring and replacement programme.
- 8.7 Policy DES4 of the East Herts District Plan 2018 states that all development proposals, including extensions to existing buildings, must be of a high standard of design and layout to reflect and promote local distinctiveness. Proposals will be expected to:
- (a) *Make the best possible use of the available land by respecting or improving upon the character of the site and the surrounding area, in terms of its scale, height, massing (volume, shape), orientation, siting, layout, density, building materials (colour, texture), landscaping, environmental assets, and design features, having due regard to the design opportunities and constraints of a site;*
 - (b) *Incorporate homes, buildings and neighbourhoods that are flexible to future adaptation, including the changing needs of occupants and users, and changes in wider employment and social trends.*

- 8.8 The proposal would comprise 9 two storey units providing a mix of warehouse facilities on the ground floor with a dedicated office space on the first floor. The terrace of three large industrial units (9, 10 and 11) would have an eaves height of 12 metres. The remaining units (5, 6, 7, 8, 12 and 16) would have an eaves height of 8 metres. The total amount of additional floorspace over and above that which currently exists (12,651 sqm) would equate to approximately 2,297 sqm giving an overall total Gross Internal Area (GIA) of 14,948 sqm.
- 8.9 Materials to be used in the construction of the proposed units would include corrugated wall cladding, steel portal flashing, curtain wall glazing, metal entrance canopy and glazed entrance doors.
- 8.10 Pre Application advice was requested prior to the submission of the application and the Council's Conservation and Urban Design Officer raised a number of issues in regard to the design which have been fully addressed as part of the submitted proposals. The scheme is considered to be of a scale and layout which is appropriate to the commercial character of the area. The buildings are designed as modern commercial units generally of corrugated metal in a variety of colours. The exact specification of the materials or colours has not been included and so a condition is recommended to secure their details. Subject to this condition, the design and appearance is considered to be acceptable.
- 8.11 The Council's Landscape Officer initially raised some concerns, however amended landscape proposals were submitted to address these. The amount of soft landscaping has been improved within and around the edges of the site and conditions are recommended to ensure the delivery of these.

Transport considerations

- 8.12 Chapter 9 of the NPPF seeks to promote sustainable transport; this includes ensuring that opportunities to promote walking, cycling and public transport use are identified and pursued.

- 8.13 Paragraph 105 of the NPPF encourages the location of significant development in locations that either are or can be made sustainable through limiting the need to travel. Paragraph 110 of the NPPF requires, amongst other things, that consideration is given to ensuring that safe and suitable access to the site can be achieved for all users and that any significant impact from the development on the transport network (capacity and congestion) or on highway safety can be cost effectively mitigated to an acceptable degree.
- 8.14 Paragraph 111 of the NPPF advises that development should only be refused on transport grounds if there would be an unacceptable impact on highway safety, or where the residual cumulative impacts of development would be severe.
- 8.15 Policy TRA1 of the East Herts District Plan states that to achieve accessibility improvements and promotion of sustainable transport in the district, development proposals should:
- (a) *Primarily be located in places which enable sustainable journeys to be made to key services and facilities to help aid carbon emission reduction;*
 - (b) *Where relevant, take account of the provisions of the Local Transport Plan;*
 - (c) *Ensure that a range of sustainable transport options are available to occupants or users, which may involve the improvement of pedestrian links, cycle paths, passenger transport network (including bus and/or rail facilities) and community transport initiatives. These improvements could include the creation of new routes, services and facilities or extensions to existing infrastructure and which may incorporate off-site mitigation, as appropriate. In suitable cases the provision of footways and cycle paths alongside navigable waterways may be sought, along with new moorings, where appropriate. The implementation of car sharing schemes should also be considered;*

- (d) *Ensure that site layouts prioritise the provision of modes of transport other than the car (particularly walking, cycling and, where appropriate, passenger transport) which, where feasible, should provide easy and direct access to key services and facilities;*
- (e) *In the construction of major schemes, allow for the early implementation of sustainable travel infrastructure or initiatives that influence behaviour to enable green travel patterns to become established from the outset of occupation;*
- (f) *Protect existing rights of way, cycling and equestrian routes (including both designated and non-designated routes and, where there is evidence of regular public usage, informal provision) and, should diversion prove unavoidable, provide suitable, appealing replacement routes to equal or enhanced standards; and*
- (g) *Ensure that provision for the long-term maintenance of any of the above measures (c) (d) and (f) that are implemented is assured*

Where appropriate, contributions may be required towards the facilitation of strategic transportation schemes identified in the Local Transport Plan and other related strategies.

In order to minimise the impact of travel on local air quality in accordance with Policy EQ4 (Air Quality), where major developments involve the introduction of new bus routes or significant changes to existing routes, service providers should work with Hertfordshire County Council's Transport, Access and Safety Unit to secure optimal solutions.

- 8.16 Policy TRA2 of the East Herts District Plan states that development proposals should ensure that safe and suitable access can be achieved for all users. Site layouts, access proposals and any measures designed to mitigate trip generation produced by the development should: (a) Be acceptable in highway safety terms; (b) Not result in any severe residual cumulative impact; and (c) Not have a significant detrimental effect on the character of the local environment

- 8.17 Policy TRA3 of the East Herts District Plan states that vehicle parking provision associated with development proposals will be assessed on a site-specific basis and should take into account the provisions of the District Council's currently adopted Supplementary Planning Document 'Vehicle Parking Provision at New Development'.
- 8.18 Provision of sufficient secure, covered and waterproof cycle and, where appropriate, powered two-wheeler storage facilities should be made for users of developments (to be determined on a site-specific basis). These should be positioned in easily observed and accessible locations.
- 8.19 Car parking should be integrated as a key element of design in development layouts to ensure good quality, safe, secure and attractive environments.
- 8.20 Where a private car park for non-domestic use is proposed, the Council will assess whether it should also be available for shared public use having particular regard to the needs of the primary user.
- 8.21 Following an initial consultation with HCC Highways an amended Transport Assessment has been submitted to address issues and concerns raised.
- 8.22 The proposed development will be accessed primarily from John Tate Road to the south. The John Tate Road access is considered to be capable of accommodating the numbers and types of vehicles which the proposed development would generate and was designed as a road to a commercial area.
- 8.23 This would require the removal of the existing barriers or modal filter which separates John Tate Road from Caxton Hill. Without such a barrier, this would open up a through route for traffic between Ware Road and London Road which would have significantly detrimental impact on traffic flows in this part of Hertford. Extensive discussions have been had regarding alternative locations for barriers to ensure that this does not occur. The County Highway Authority have suggested a barrier location on the north-south

section of Caxton Hill. This would however be outside the application site and on land in 3rd party ownership which is not the public highway. It would also have significant impacts on other traffic flows including potentially requiring existing residential units to access the highway network through the industrial estate. Similarly, retaining the modal filter in its current location would require all of the site traffic to come via Caxton Hill which would significantly affect the commercial success of the units and exacerbate a current poor highway situation.

- 8.24 The applicant's have amended the scheme to address the above concerns and have proposed two sets of bollards, one on the edge of the planning application site on land which they own at the southern end of the north-south access from Caxton Road, and the other between the application site and the Flurocarbon site to the north. This arrangement would allow the proposed scheme (save for unit 12) to be accessed and serviced from John Tate Road, which provides satisfactory access. Unit 12 and the Flurocarbon site would be accessed to the north from Caxton Hill which is the current arrangement.
- 8.25 Both sets of bollards would be permanently fixed and so would only allow access to pedestrians and cyclists.
- 8.26 If the modal filters are installed in such a way that they prevent vehicular traffic from moving from Caxton Hill to John Tate Road, they would prevent the creation of a "rat run" and the highways impact of the development would be acceptable. Ideally such barriers or modal filters would be located on the public highway but the road network in this location is private. As such, conditions are recommended to secure the detailed design of them and a condition requiring that no units within the development are occupied unless the bollards are in place and working (i.e. preventing motor vehicles).
- 8.27 The highway authority have requested other conditions and obligations to ensure the delivery of improvements to the access to the site from John Tate Road. Therefore, subject to the Grampian

condition and legal agreement, the proposals are now in line with the HCC Local Transport Plan (LTP) 4 (May 2018) and other policies both local and nationally aimed at promoting sustainable development.

- 8.28 The plans show that the proposed units would provide warehouse facilities together with a dedicated office space at first floor level. The total number of parking spaces to be provided will be 217 including the provision of dedicated EVP spaces and parking for people with disabilities together with 76 cycle spaces. The parking space provision for each unit and the site in total is considered to be sufficient.
- 8.29 In order to encourage sustainable modes of transport, amended plans have been received which provide more space for pedestrians within the development and the amended arrangements allow pedestrians and cyclists to move through the site. Additionally, a Travel Plan would be secured by the legal agreement, with a contribution to ensure that its update is monitored.

Neighbour Amenity

- 8.30 Policy DES4 of the East Herts District Plan states that development should avoid significant detrimental impacts on the amenity of occupiers of neighbouring properties and land and ensure that their environments are not harmed by noise and disturbance or by inadequate daylight, privacy or overshadowing; (d) Incorporate high quality innovative design, new technologies and construction techniques, including zero or low carbon energy and water efficient, design and sustainable construction methods. Proposals for residential and commercial development should seek to make appropriate provision for high-speed broadband connectivity, ensuring that Fibre to the Premises (FTTP) is provided.
- 8.31 Due to the light industrial nature of the surrounding area and distance of the proposals to residential properties, it is not considered that the proposal would have any adverse impact on the amenities of the neighbouring properties (matters raised by

residents in relation to transport impacts are covered in the Transport section above).

Flood Risk and Drainage

- 8.32 Policies WAT1 of the East Herts District Plan states that the proposals should not increase flood risk elsewhere and should be safe from flooding.
- 8.33 Policy WAT5 of the East Herts District Plan states that development must utilise the most sustainable forms of drainage systems in accordance with the SUDS hierarchy unless there are practical engineering reasons for not doing so.
- 8.34 The Lead Local Flood Authority (LLFA) were consulted and following a review of the submitted documents, concluded that the information provided is not in accordance with NPPF and East Herts Planning Policies WAT1 and WAT5. As a result of this, they have objected on the basis of local flood risk and whether the development accords with policy.
- 8.35 Further information has subsequently been submitted to address these concerns and issues which the LLFA have not commented on. It would appear from the information submitted that the majority of concerns raised by the LLFA have been addressed or responded to, with the main area for disagreement being the discharge rate from the site. Policy and guidance requires this to be at a greenfield run-off rate, but the previously developed nature of site and the existing drainage situation is normally taken into account. The proposed strategy would approximately half the existing discharge rate although it would be significantly higher than the greenfield rate. The discharge rate could be reduced through the introduction of more subterranean storage, although it is noted that a significant area of subterranean storage is already included in the proposal. The applicant argues that their drainage strategy is acceptable due to the significant reduction in run-off rate and that additional storage is economically challenging.

- 8.36 Officers consider that the drainage strategy shows that the site can be drained and that it would be possible to achieve an adequate reduction in run off rates and address other issues outlined by the LLFA. As such, officers are satisfied that the detailed design and final discharge rates can be dealt with by condition.

Ecology and Biodiversity

- 8.37 Policy NE3 of the East Herts District Plan states that development should always seek to enhance biodiversity and to create opportunities for wildlife. Proposals must demonstrate how the development improves the biodiversity value of the site and surrounding environment.
- 8.38 A Biodiversity Net Gain Assessment report prepared by Delta Simons dated August 2022 which has been submitted with the application concludes that the development will achieve a net gain in biodiversity over 10%. The main contributor to this is the addition of new scrub, woodland, grassland, tree and hedgerow planting alongside retained areas of woodland.
- 8.39 An Ecological Impact Assessment report prepared by Delta Simons dated July 2022 has been submitted with the application and concludes that the habitats present on the site are widespread, in both a local and national context. The majority of those habitats with the greatest ecological value (i.e. the boundary trees) are to be retained within the development. Whilst there is likely to be a temporal delay in achieving the biodiversity objectives for the site (i.e. whilst new habitats become established), it is anticipated that in the long term there will be no significant residual effects on habitats or protected species resulting from the proposed development.
- 8.40 Two category B trees, seven category C trees and part of a group of category B trees would be removed to facilitate the proposal, with other tree work proposals also included in the scheme. A replacement planting scheme has been provided which sets out an improvement in biodiversity. This scheme includes the planting of at least 22 trees.

- 8.41 Both the Ecological and Biodiversity reports' recommendations and their aspects can be secured by condition should planning permission be granted.

Contaminated Land, Noise and Air Quality

- 8.42 Policy EQ1 of the East Herts District Plan states that the District Council will encourage the remediation of contaminated land to ensure that land is brought back into use, subject to the requirements of this policy.
- 8.43 The Council will require evidence, as part of any application, to show that unacceptable risks from contamination and land instability will be successfully addressed through remediation without undue environmental impact during and following the development. In particular, the developer shall carry out an adequate investigation to inform a risk assessment.
- 8.44 Where necessary, appropriate monitoring procedures to be undertaken prior, during and post remediation will be agreed with the developer/applicant. This should be set out in a verification report.
- 8.45 Policy EQ2 of the East Herts District Plan 2018 states that all development should be designed and operated in a way that minimises the direct and cumulative impact of noise on the surrounding environment. Particular consideration should be given to the proximity of noise sensitive uses, and in particular, the potential impact of development on human health.
- 8.46 The Council's Environmental Health Officer was reconsulted in regard to the noise element and now raises no objection subject to conditions
- 8.47 Policy EQ4 of the East Herts District Plan states that the effect of development upon air quality is a material consideration. All applications should take account of the Council's Air Quality

Planning Guidance Document, which details when an air quality assessment is required.

- 8.48 All development should take account of the Council's latest Air Quality Action Plan, local Air Quality Strategies, Local Transport Plans, as well as national air quality guidance and should include measures to minimise air quality impact at the design stage and should incorporate best practice in the design, construction and operation of all developments.
- 8.49 The Council's Environmental Health Officer was consulted and commented that the submitted Remediation and Verification Strategy by Delta Simmons dated August 2022 in regard to contaminated land is acceptable subject to a condition being attached to any grant of planning permission.
- 8.50 In addition, a revised Transport Assessment has been submitted and accepted by HCC Highways and demonstrates that the impacts of the development on air quality are compliant with Policy EQ4 of the East Herts District Plan 2018.

Climate change and sustainability

- 8.51 Paragraph 154 of the NPPF and Policy CC1 of the District Plan requires that development proposals introduce measures that address climate change.
- 8.52 Proposals should be designed in an energy efficient way that results in a reduction of carbon emissions. This will ensure that the highest standards of sustainable design and construction are achieved.
- 8.53 Policy CC1 of the East Herts District Plan states that all new development should:
- (a) Demonstrate how the design, materials, construction and operation of the development would minimise overheating in summer and reduce the need for heating in winter; and

- (b) Integrate green infrastructure from the beginning of the design process to contribute to urban greening, including the public realm. Elements that can contribute to this include appropriate tree planting, green roofs and walls, and soft landscaping.
- 8.54 Policy CC2 of the East Herts District Plan states that all new developments should demonstrate how carbon dioxide emissions will be minimised across the development site, taking account of all levels of the energy hierarchy. Achieving standards above and beyond the requirements of Building Regulations is encouraged.
- 8.55 Carbon reduction should be met on-site unless it can be demonstrated that this is not feasible or viable. In such cases effective offsetting measures to reduce on-site carbon emissions will be accepted as allowable solutions.
- 8.56 The energy embodied in construction materials should be reduced through re-use and recycling, where possible, of existing materials and the use of sustainable materials and local sourcing.
- 8.57 The application has been submitted with an Energy and Sustainability Statement Rev 003 prepared by Cudd Bentley Consulting Ltd. dated July 2022. This includes an Energy Strategy that may be adopted for the development involving the use of passive design and energy efficiency measures aimed at achieving the targets and recommendations set out by East Herts Council. The current energy strategy for the development includes the use of Air Source Heat Pumps (in the office areas). These measures can be secured by condition. Additionally, the applicant has stated that they are committed to providing a BREEAM "Excellent" scheme which includes sustainable design, construction and low energy measures.
- 8.58 The proposals are therefore considered to accord with the District Plan which generally seeks to achieve standards above the Building Control Regulations.

8.59 Responses to the comments have been addressed within the body of this report.

9.0 Planning Obligations

9.1 The following planning obligations are sought to support/mitigate the impacts of the development proposed:

9.2 HCC Highways operate two levels of mitigation agreements (Strand 1 and Strand 2). Strand 1 mitigation works being works that are directly required to unlock the development and solely the responsibility of the development. Strand 2 mitigation works being works that address the wider cumulative impact of the development for which the development isn't solely responsible for but does derive benefit from

9.3 In the first instance HCC would envisage that the agreed junction improvements and travel plan contributions are delivered via a Strand 1 Section 106 agreement. This includes the support fee for the aforementioned Travel Plan

9.4 In the second instance (Strand 2) HCC calculate an appropriate headline figure based on the findings of HCC's adopted Developers Planning Obligation Toolkit (2021) which they calculate at £229,568. This would be allocated to projects within HCC's South East Hertfordshire Growth and Transport Plan covering Hertford (Packages 1-6).

9.5 The applicant consider that the County Council have calculated the amount of the financial contribution under Strand 2 in error and this matter will be addressed in an addendum report to the Committee.

- 10.1 A key objective of the planning system is to bring forward development that is appropriate and in the right place. This is made clear in the National Planning Policy Framework (NPPF), which states that there should be a presumption in favour of sustainable development.
- 10.2 The application has been fully assessed against both national and local policies and its impact on the surrounding area.
- 10.3 The redevelopment of the Hertford Industrial Estate will provide increased employment on a site within East Herts that is allocated as an Employment Area under Policy HERT6 of the East Herts District Plan. The proposed development is considered to accord with all relevant District Local Plan policies subject to any necessary mitigation being implemented as identified.

RECOMMENDATION

That planning permission be **GRANTED** subject to the conditions set out below and the satisfactory conclusion of a legal agreement.

Heads of Terms

- Travel Plan and Travel Plan monitoring fees
- Junction Improvements to junction with John Wade Road
- Financial Contribution of £229,568
- Legal and Monitoring Fees

Conditions

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

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

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

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

3. Prior to first occupation of the development being brought into use, a validation report detailing the proposed remediation works laid out in the approved Remediation and Verification Strategy by Delta Simmons dated August 2022 and quality assurance certificates to show that the works have been carried out in full accordance with the approved methodology shall be submitted to and approved in writing by the Local Planning Authority and 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 and 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.

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 the National Planning Policy Framework, and in order to protect human health and the environment in accordance with policy EQ1 of the adopted East Herts District Plan 2018.

4. No development shall take place until a Site Waste Management Plan (SWMP) for the site has been submitted to the Local Planning Authority and approved in consultation with the Waste Planning Authority. The SWMP should aim to reduce the amount of waste being produced on site and should contain information including estimated and actual types and amounts of waste removed from the site and where that waste is being taken to. The development shall be carried out in accordance with the approved SWMP.

Reason: To promote sustainable development and to ensure measures are in place to minimise waste generation and maximise the on-site and off-site reuse and recycling of waste materials, in accordance with Policy 12 of the Hertfordshire Waste Core Strategy and Development Management Policies Development Plan Document (2012).

5. Prior to the erection of above ground superstructure, details of the materials to be used on all external elevations and roof shall be submitted to and agreed in writing by the Council as local planning authority. The development shall be implemented in accordance with the agreed details and retained as such.

Reason: To ensure an acceptable form of development in accordance with policy DES4 of the East Herts District Plan 2018.

6. The rating level of noise emitted from all external fixed plant and equipment at the development hereby approved shall not exceed 10dB below the background noise level when measured or calculated at 1 metre from the façade of the nearest noise sensitive property. The measurements and assessment shall be made according to BS 4142:2014+A1:2019 '*Methods for rating and assessing industrial and commercial sound*' at the nearest and / or most affected noise sensitive premises, with all plant / equipment operating together at maximum capacity and inclusive of any penalty for tonal, impulsive or other distinctive acoustic characteristics. Any mitigation measures implemented shall thereafter be permanently retained.

Reason: In order to ensure an adequate level of amenity for occupiers in the vicinity of the proposed development in accordance with Policy EQ2 Noise Pollution of the adopted East Herts District Plan 2018.

7. Best Practicable Means (BPM) shall be used in controlling dust emissions during all site preparation, demolition, construction and ancillary activities.

Reason: In order to ensure an adequate level of amenity for nearby residents in accordance with Policy EQ4 Air Quality of the adopted East Herts District Plan 2018.

8. In connection with all site preparation, demolition, construction and ancillary activities, working hours shall be restricted to 08:00 – 18:00 hours Monday to Friday, 08:00 – 13:00 hours on Saturdays, and not at all on Sundays or Bank/Public Holidays. Vehicles arriving at and leaving the site must do so within these working hours

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

9. All other waste materials and rubbish associated with construction shall be contained on site in appropriate containers which, when full, should be promptly removed to a licensed disposal site.

Reason: In order to ensure an adequate level of amenity for nearby residents in accordance with Policy EQ4 Air Quality of the adopted East Herts District Plan 2018.

10. External artificial lighting at the development shall not exceed lux levels of vertical illumination at neighbouring premises that are recommended by the Institution of Lighting Professionals Guidance Note 01/20 'Guidance notes for the reduction of obtrusive light'. Lighting should be minimized and glare and sky glow should be prevented by correctly using, locating, aiming and shielding luminaires, in accordance with the Guidance Note.

Reason: In order to ensure an adequate level of amenity for the occupants of nearby properties in accordance with Policy EQ3 Light Pollution and DES4 Design of Development of the adopted East Herts District Plan 2018.

11. All hard and soft landscape works shall be carried out in accordance with the approved plans/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.

12. All works shall be carried out in accordance with the approved details with regard to the Biodiversity Net Gain Assessment report prepared by Delta Simons dated August 2022 and the Ecological Impact Assessment report prepared by Delta Simons dated July 2022 which demonstrate the best endeavours to meet the expectations of the NPPF in achieving an overall net gain for biodiversity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure compliance with Policies DES3 and NE3 of the East Herts Local District Plan 2018

13. All works shall be carried out in accordance with the approved details with regard to the Energy and Sustainability Statement Rev 003 prepared by Cudd Bentley Consulting Ltd. dated July 2022 which outlines the adopted strategy for the development involving the use of passive design and energy efficiency measures to achieve the targets and recommendations as set out by the EHDC 2018, including the use of Air Source Heat Pumps (in the office areas) unless otherwise agreed in writing by the Local Planning Authority

Reason: In the interests of reducing carbon dioxide emissions and promoting principles of sustainable construction and efficient use of buildings in accordance with Policies CC1 and CC2 of the East Herts District Plan.

14. All works shall be carried out in accordance with the arboricultural impact assessment ref 21-1360.05 prepared by Delta-Simons dated August 2022 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure trees are protected during construction in accordance with Policies DES3 of the East Herts Local District Plan 2018.

15. Prior to the erection of any above ground superstructure, details of habitat boxes/structures to be installed shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be installed prior to the first occupation of the unit they are to be installed on (or the nearest proposed unit) and maintained throughout the lifetime of the development, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To improve the biodiversity value of the site and surrounding environment, in accordance with policy NE3 of the East Herts District Plan 2018.

16. Prior to the erection of above ground superstructure, the detailed design of fixed mobility filters sited between Units 11 and 12 and between the application site and the "Fluorocarbon" site (shown on drawing 5076 SK 1101 rev B) shall be submitted to and agreed in writing by the Local Planning Authority in consultation with the Highway Authority. The design shall include but not be limited to:
- details of the specific mobility filters to be installed so as to permanently prevent vehicular movement through them.
 - the design and layout of the carriageway and any landscaping immediately around the mobility filters.
 - the provision of cycling and pedestrian routes through the mobility filters.
 - details of the maintenance and management of the mobility filters.

The agreed details shall be implemented as such prior to the first occupation of any unit on the site and thereafter retained in accordance with the agreed details.

Reason: To ensure construction of a satisfactory development and that the highway improvement works are designed to an appropriate standard in the interest of highway safety and amenity and in accordance with Policy 5, 13 and 21 of Hertfordshire's Local Transport Plan (adopted 2018).

17. No units shall be occupied until the scheme of mobility filters required by condition 16 has been installed. The mobility filter and maintenance and management system referred to in condition 16 is required to be implemented in perpetuity to prevent passage by motor vehicle from John Tate Road to the north-south section of Caxton Hill or between the application site and the land edge blue on the submitted location plan (reference 00002 rev P6).

Reason: To ensure construction of a satisfactory development and that the scheme has an acceptable impact on the local highway network.

18. Prior to occupation, a BRE issued Refurbishment and Fit-Out Design Stage certificate shall be submitted to, and approved in writing by, the Local Planning Authority demonstrating that BREEAM 'excellent' as a minimum will be met. Where the Refurbishment and Fit-Out Certificate shows a shortfall in credits for BREEAM 'excellent', a statement shall also be submitted identifying how the shortfall will be addressed. If such a rating is replaced by a comparable national measure of sustainability for building design, the equivalent level of measure shall be applicable to the proposed development.

Reason: In the interests of reducing carbon dioxide emissions and promoting principles of sustainable construction and efficient use of buildings in accordance with Policies CC1 and CC2 of the East Herts District Plan.

19. Prior to the commencement of above ground construction details shall be submitted and approved in writing by the Local Planning Authority detailing how the development and fitting out of the buildings will adapt to climate change demonstrating how carbon emissions will be minimised taking into account all levels of the energy hierarchy, together with details of water saving measures so that mains water consumption will meet a target of 110 litres per person per day. The details shall thereafter be implemented.

Reason: To adapt to climate change and provide for the efficient use of water resources in accordance with Policies CC1, CC2 and WAT4 of the East Herts District Plan 2018.

20. Prior to the first occupation / use of the development hereby permitted the vehicular access to the Foxholes Business Park shall be completed and thereafter retained as shown on drawing number (5076 SK 1101 Rev A) in accordance with details/specifications to be submitted to and approved in writing by the Local Planning Authority in consultation with the highway authority. Prior to use appropriate arrangements shall be made for surface water 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 5 of Hertfordshire's Local Transport Plan (adopted 2018).

21. Prior to the first use of the development hereby permitted, arrangement shall be made for surface water from the proposed development to be intercepted and disposed of separately so that it does not discharge onto the highway carriageway.

Reason: To avoid the carriage of extraneous material or surface water from or onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

22. Prior to the first occupation / use of the development hereby permitted the proposed access arrangements/onsite car, electric vehicle and cycle parking / servicing / loading, unloading / turning /waiting area shall be implemented in accordance with the approved drawing number (5076 SK 1101 Rev A) and retained thereafter available for that specific use.

Reason: To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

23. No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan: The Construction Management Plan / Statement shall include details of:

- a. Construction vehicle numbers, type, routing;
- b. Access arrangements to the site;
- c. Traffic management requirements
- d. Construction and storage compounds (including areas designated for car parking, loading /unloading and turning areas);
- e. Siting and details of wheel washing facilities;
- f. Cleaning of site entrances, site tracks and the adjacent public highway;
- g. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
- h. Provision of sufficient on-site parking prior to commencement of construction activities;
- i. Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
- j. where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements;
- k. Phasing Plan.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire’s Local Transport Plan (adopted 2018).

24. At least 3 months prior to the first occupation / use of the approved development a detailed Travel Plan for the site shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highways Authority. The approved Travel Plan shall be implemented in accordance with the timetable and target contained in therein and shall continue to be implemented as long as any part of the development is occupied subject to approved modifications agreed by the Local Planning Authority in consultation with the Highway Authority as part of the annual review.

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

25. No development shall commence until a monitoring programme to assess the level of traffic generation at defined intervals of occupancy shall be submitted to and approved in writing by the Local Planning Authority. The monitoring programme shall be implemented as agreed.

Reason: To ensure that agreed traffic levels are not breached and thus highway network is adequate to cater for the development proposed to be in accordance with Policies 5 and 12 of Hertfordshire’s Local Transport Plan (adopted 2018).

Plans

Plan Ref	Received
5076 CA 00 ZZ DR A 00150 REV P5	19 th October 2022

5076 CA 00 ZZ DR A 00151 REV P5	19 th October 2022
5076 CA 00 ZZ DR A 00152 REV P2	19 th October 2022
5076 CA 00 ZZ DR A 00153 REV P3	19 th October 2022
5076 CA 00 ZZ DR A 00007 REV P4	19 th October 2022
5076 CA 00 ZZ DR A 00008 REV P4	19 th October 2022
5076 CA 00 ZZ DR A 00009 REV P2	19 th October 2022
5076 CA 00 ZZ DR A 00010 REV P2	19 th October 2022
5076 CA 00 ZZ DR A 00011 REV P2	19 th October 2022
1234 CA 00 ZZ DR A 00018 REV P3	19 th October 2022
1234 CA 00 ZZ DR A 00019 REV P3	19 th October 2022
5076 CA 00 ZZ DR A 00020 REV P3	19 th October 2022
1234 CA 00 ZZ DR A 00021 REV P3	19 th October 2022
5076 CA 00 ZZ DR A 00202 REV P4	19 th October 2022
5076 CA 00 ZZ DR A 00203 REV P5	19 th October 2022
5076 CA 00 ZZ DR A 00100 REV P3	19 th October 2022
5076 CA 00 ZZ DR A 00101 REV P3	19 th October 2022
5076 CA 00 ZZ DR A 00102 REV P3	19 th October 2022
5076 CA 00 ZZ DR A 00103 REV P3	19 th October 2022
5076 CA 00 ZZ DR A 00104 REV P3	19 th October 2022
5076 CA 00 ZZ DR A 00105 REV P3	19 th October 2022
5076 CA 00 ZZ DR A 00106 REV P3	19 th October 2022
5076 CA 00 ZZ DR A 00107 REV P3	19 th October 2022
5076 CA 00 RL DR A 0102 REV P4	19 th October 2022
5076 CA 00 00 DR A 00058 REV P14	19 th October 2022
5076 CA 00 00 DR A 00002 REV P6	19 th October 2022
5076 CA 00 00 DR A 00001 REV P7	19 th October 2022
5076 CA 00 00 DR A 00200 REV P5	19 th October 2022
5076 CA 00 00 DR A 00201 REV P5	19 th October 2022
22-071-SK-01 REV E (Amended)	2 nd March 2023
22-071-SK-02 REV D (Amended)	2 nd March 2023
22-071-SK-03 REV D (Amended)	2 nd March 2023
220317-PIN-XX-XX-DR-C-02350-S2-PO2	13 th March 2023

220317-PIN-XX-XX-DR-C-02351-S2-PO2	13 th March 2023
220317-PIN-XX-XX-DR-C-02021-PO5	15 th March 2023
220317-PIN-XX-XX-DR-C-02022-PO3	15 th March 2023
220317-PIN-XX-XX-DR-C-02023-PO2	15 th March 2023
220317-PIN-XX-XX-DR-C-02027-PO2	15 th March 2023
220317-PIN-XX-XX-DR-C-02028-PO2	15 th March 2023
220317-PIN-XX-XX-DR-C-02029-PO2	15 th March 2023
5076 SK 1101 B	24 th March 2023

Informatives

1. This permission does not convey any consent which may be required under any legislation other than the Town and Country Planning Acts. Any permission required under the Building Regulations or under any other Act, must be obtained from the relevant authority or body e.g., Fire Officer, Health and Safety Executive, Environment Agency (Water Interest) etc. Neither does this permission negate or override any private covenants which may affect the land.
2. 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.
3. Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

4. **Obstruction of highway:** It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the County Council website at:
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.
5. **Debris and deposits on the highway:** It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.
6. **Avoidance of surface water discharge onto the highway:** The applicant is advised that the Highway Authority has powers under section 163 of the Highways Act 1980, to take appropriate steps where deemed necessary (serving notice to the occupier of premises adjoining a highway) to prevent water from the roof or other part of the premises falling upon persons using the highway, or to prevent so far as is reasonably practicable, surface water from the premises flowing on to, or over the footway of the highway.
7. **Roads to remain private:** The applicant is advised that all new roads access routes marked on the submitted plans associated with this development will remain unadopted (and shall not be maintained at

public expense by the highway authority). At the entrance of the new estate the road name plate should indicate that it is a private road and the developer should put in place permanent arrangements for long-term maintenance.

8. Construction Management Plan (CMP): The purpose of the CMP is to help developers minimise construction impacts and relates to all construction activity both on and off site that impacts on the wider environment. It is intended to be a live document whereby different stages will be completed and submitted for application as the development progresses. A completed and signed CMP must address the way in which any impacts associated with the proposed works, and any cumulative impacts of other nearby construction sites will be mitigated and managed. The level of detail required in a CMP will depend on the scale and nature of development. The CMP would need to include elements of the Construction Logistics and Community Safety (CLOCS) standards as set out in our Construction Management template, a copy of which is available on the County Council's website at:
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>
9. Abnormal loads and importation of construction equipment (i.e. large loads with: a width greater than 2.9m; rigid length of more than 18.65m or weight of 44,000kg - commonly applicable to cranes, piling machines etc.): The applicant is directed to ensure that operators conform to the provisions of The Road Vehicles (Authorisation of Special Types) (General) Order 2003 in ensuring that the Highway Authority is provided with notice of such movements, and that appropriate indemnity is offered to the Highway Authority. Further information is available via the Government website:
www.gov.uk/government/publications/abnormal-load-movements-application-and-notification-forms or by telephoning 0300 1234047.
10. Travel Plan (TP): A TP, in accordance with the provisions as laid out in Hertfordshire County Council's Travel Plan Guidance, would be

required to be in place from the first occupation/use until 5 years post occupation/use. A £1,200 per annum (overall sum of £6000 and index-linked RPI March 2014) Evaluation and Support Fee would need to be secured via a Section 106 agreement towards supporting the implementation, processing and monitoring of the full travel plan including any engagement that may be needed. Further information is available via the County Council's website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> OR by emailing travelplans@hertfordshire.gov.uk

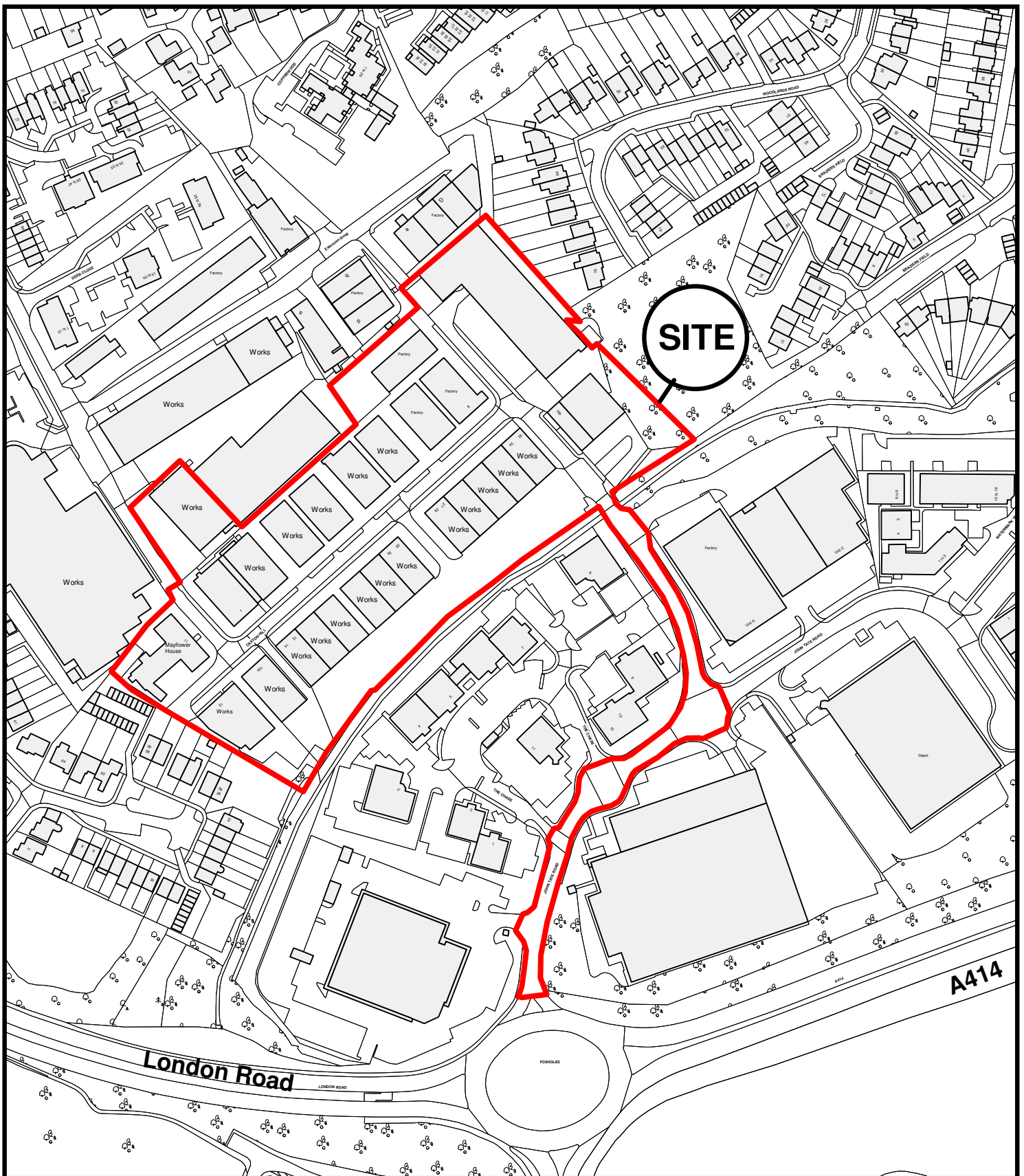
KEY DATA

Non-Residential Development

Use Type	Floorspace (sqm)
Business Park – mixed B1/B2/B8	14,948 (GIA) 15761 (GFA)

Non-residential Vehicle Parking Provision

Use type	Standard	Spaces required
Business Park – mixed B1/B2/B8	1 space per 40 sqm	394
Total required		394
Total provided		217



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

Address: Land And Buildings At Hertford Industrial Estate

Caxton Hill, Hertford, SG13 7NE

Reference: 3/22/2200/FUL

Scale: 1:2500

O.S Sheet: TL3312

Date of Print: 24 March 2023