



MEETING : DEVELOPMENT MANAGEMENT COMMITTEE
VENUE : COUNCIL CHAMBER, WALLFIELDS, HERTFORD
DATE : WEDNESDAY 15 OCTOBER 2025
TIME : 7.00 PM

PLEASE NOTE TIME AND VENUE

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<https://www.youtube.com/user/EastHertsDistrict>

MEMBERS OF THE COMMITTEE

Councillor S Watson (Chair)
Councillors R Buckmaster, V Burt, S Copley, I Devonshire, J Dunlop,
Y Estop, G Hill, S Marlow, T Smith, T Stowe and J Thomas (Vice-Chair)

Substitutes

Conservative Group:	Councillors S Bull and T Deffley
Green Group:	Councillors M Connolly and V Smith
Labour Group:	Councillor C Redfern
Liberal Democrat Group:	Councillor M Adams
Reform UK:	Councillor G McAndrew

(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.)

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- must not participate in any discussion of the matter at the meeting;
- must not participate in any vote taken on the matter at the meeting;
- must disclose the interest to the meeting, whether registered or not, subject to the provisions of section 32 of the Localism Act 2011;
- if the interest is not registered and is not the subject of a pending notification, must notify the Monitoring Officer of the interest within 28 days;
- must leave the room while any discussion or voting takes place.

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AGENDA

1. Apologies

To receive apologies for absence.

2. Chair's Announcements

3. Declarations of Interest

To receive any Members' declarations of interest.

4. Minutes - 13 August 2025 (Pages 6 - 22)

To confirm the Minutes of the meeting of the Committee held on Wednesday 13 August 2025.

5. Planning Applications for Consideration by the Committee (Pages 23 - 25)

(A) 3/24/1275/FUL - Construction and operation of a circa 24MW (AC) solar farm development with a (Battery Energy Storage System) BESS, and associated infrastructure at Land to the West of Ware, Ware Park Farm, Ware, Hertfordshire, SG12 0DU_(Pages 26 - 71)

Recommended for Approval.

(B) 3/24/1707/FUL - Construction of a building comprising commercial floorspace (Use Class E) and hotel accommodation (Use Class C1), improvements to the Bishop's Stortford transport interchange, and associated landscaping at Goods Yard, Station Road, Bishop's Stortford, Hertfordshire, CM23 3BL_(Pages 72 - 120)

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 4

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MINUTES OF A MEETING OF THE
DEVELOPMENT MANAGEMENT
COMMITTEE HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
WEDNESDAY 13 AUGUST 2025, AT 7.00
PM

PRESENT: Councillor S Watson (Chair)
Councillors S Copley, I Devonshire,
J Dunlop, Y Estop, G Hill, S Marlow, Smith,
T Stowe and J Thomas

ALSO PRESENT:

Councillors M Connolly, A Daar, B Deering,
V Glover-Ward and G McAndrew

OFFICERS IN ATTENDANCE:

Jackie Bruce	- Section 106 Programme Manager
Neil Button	- Interim Team Leader (Strategic Applications Team)
Peter Mannings	- Committee Support Officer
James Mead	- Planning Officer
Martin Plummer	- Service Manager (Development Management and Enforcement)

137 APOLOGIES

Apologies for absence were submitted from Councillors R Buckmaster and V Burt. It was noted that Councillor S Bull was substituting for Councillor R Buckmaster.

138 CHAIR'S ANNOUNCEMENTS

The Chair reminded Members to use their microphones as the meeting was being webcast.

The Chair invited the committee to join him in a one-minute silence for former Councillor Norma Symonds, who had sadly passed away recently. He said that Norma Symonds had been a long standing and well-respected member of the authority and a former member of the Development Management Committee.

139 DECLARATIONS OF INTEREST

Councillor Watson declared that he was a member of Hertford Civic Society, a member of Kingsmead Residents Association and the Mayor of Hertford, and he may be considered to have some predisposition.

Councillor Watson said that he was coming into this meeting with an open mind in respect of application 3/24/2147/VAR.

140 MINUTES - 9 JULY 2025

Councillor Devonshire proposed and Councillor Stowe seconded, a motion that the Minutes of the meeting held on 9 July 2025 be confirmed as a correct record and be signed by the Chair.

After being put to the meeting and a vote taken, the motion was declared CARRIED. Councillors Bull and Hill abstained from the vote.

RESOLVED – that the Minutes of the meeting held on 9 July 2025, be confirmed as a correct record and signed by the Chair.

141 3/24/2147/VAR-VARIATION OF CONDITION 53 (APPROVED PLANS) OF PLANNING PERMISSION: 3/23/2034/VAR (DATED: 15/10/2024), AS AMENDED BY PLANNING REFERENCE: 3/23/1863/NMA, FOR A HYBRID PLANNING APPLICATION COMPRISING: FULL PLANNING PERMISSION FOR RESIDENTIAL DWELLINGS, UP TO

420SQM FOR GYMNASIUM (CLASS E(D)), 70SQM OF RESIDENTS CO-WORKING FLOORSACE, CAR AND CYCLE PARKING, ACCESS, OPEN SPACE, LANDSCAPING AND ASSOCIATED WORKS, IMPROVEMENTS TO MARSHGATE DRIVE AND CREATION OF SPINE ROAD IN THE NORTHERN SECTOR; OUTLINE PLANNING PERMISSION FOR THE CONSTRUCTION OF EMPLOYMENT FLOORSACE (USE CLASS E(G)(III)), CAR PARKING, LANDSCAPING AND ASSOCIATED WORKS (ALL MATTERS RESERVED EXCEPT ACCESS). PROPOSED AMENDMENTS TO INCLUDE: CREATION OF 65 ADDITIONAL DWELLINGS THROUGH UTILISING AND EXTENDING ROOF SPACES ACROSS ALL APARTMENT BUILDINGS, RELOCATION OF RESIDENTS GYM FROM BUILDING G TO BUILDING B, CREATION OF 2 ADDITIONAL DWELLINGS IN BUILDING G, LOSS OF 1 DWELLING IN BUILDING B, CHANGES TO INTERNAL LAYOUTS

The Head of Planning and Building Control recommended that in respect of application 3/24/2147/VAR, planning permission be granted subject to the conditions set out at the end of the report.

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The Principal Planning Officer said that the application 3/24/2147/VAR had been submitted under Section 73 of the Town and Country Planning Act which sought to amend an existing planning permission at Land East of Marshgate Drive, Hertford.

Members were advised that applications under Section 73 allow applicants to apply to amend an existing planning permission by varying or removing planning conditions.

The Principal Planning Officer said that any consent granted under Section 73 takes the form of a new planning permission. He said that this current application proposes to vary condition 53, the approved plans condition, of planning permission reference 3/23/2034/VAR to allow the substitution of existing

approved plans with new plans that show the changes to the scheme.

The Principal Planning Officer said that the site consisted of approximately 3.48 hectares of vacant brownfield land, and that the land was formerly a gasworks site which was cleared some years ago and remained disused.

Members were advised that this current application only proposed changes to the development on the northern parcel of the site. The Principal Planning Officer detailed the location of the site and summarised the development in the surrounding area. He summarised in detail the relevant planning history and said that flood zones 2 and 3 extended over the eastern part of the northern parcel.

The Principal Planning Officer said that the site and the adjacent timber yard were allocated in the District Plan for a mixed-use development of around 200 homes. He said that the original application was refused by the council on 11 grounds and that this decision was appealed by the applicant. The appeal was subsequently allowed and planning permission granted.

Members were advised that the full planning permission was implemented in June 2021 but work however ceased in approximately April 2022, with the applicant citing increasing build costs and poor sales as the main reasons for stopping works. The Principal Planning Officer said that the implementation of the full planning application meant that the planning application remained extant and works could recommence at any time. He said that works never commenced on the outline planning permission, and that this outline permission had now expired along with the employment element of the scheme.

Members were advised that the original scheme was amended through a Section 73 application in 2024 and that this was the most recent planning permission on the site.

Members were advised that they were not considering or revisiting other parts of the already consented development. The new number of dwellings provided on the site would total 446 and the allocation of HERT2 as a strategic site in the District Plan meant that the principle of residential development on the site is established.

The Principal Planning Officer said that Officers had acknowledged that this proposed developed would result in a total housing delivery significantly exceeding the allocation figure of around 200 homes. Members were however advised that this housing allocation figure was out of date when considering the 2020 appeal decision where an inspector had allowed a scheme for 375 homes on the site.

The Principal Planning Officer said that noting this appeal decision and given the current position of Hertfordshire Highways, there was no in principle reason for capping the quantum of development to 200 or 375 homes subject to the changes to the consented scheme being acceptable in all other respects.

Members were advised that the provision of 66 further dwellings on a sustainable brownfield site was a significant benefit of this scheme that attracted direct support from sections 5 and 11 of the National Planning Policy Framework (NPPF).

The Principal Planning Officer said that the uplift in dwellings on the site also meant that the scheme made a valuable contribution to the council's housing land supply at a time when there was a supply deficit. Members were advised of the overall housing mix that would be provided on the site, and to note that the scheme would still deliver a high proportion of flatted units.

The Principal Planning Officer set out the key figures from the applicant's viability assessment and the viability review carried out by the council's consultant. The national planning practice guidance and other relevant guidance advised that 15 to 20 percent of the proposed

development value was generally a suitable profit rate for developers.

Members were advised that the applicant and the council's consultant agreed that the consented scheme was unviable with the council's consultant indicating that the consented scheme had a profit rate of 10.68 percent. The applicant had brought forward the amended proposal and the council's consultant considered that the profit would be 13.41 percent. The higher profit rate made the amended proposal more viable than the consented scheme.

The Principal Planning Officer advised that as the profit rate was below the 15 to 20 percent, it was not viable for affordable housing to be provided on the site. Members were advised that whilst the potential delivery of affordable housing was highly constrained, the applicant was still seeking to provide the 56 affordable units as agreed in the consented scheme and this equated to 12.6% affordable housing.

The Principal Planning Officer said that the constrained viability position meant however that it was not feasible to secure typical affordable housing provisions in the Section 106 Legal Agreement. A cascade mechanism was proposed to be built into the Section 106 which would firstly seek to deliver on site affordable units before alternative options for the provision of discount market sale dwellings or financial contributions were considered.

The Principal Planning Officer presented a series of elevation drawings, floor plans and visual images that set out the new and existing proposed development for buildings A, B, G and H. He summarised in detail the proposed changes and said that the overall roof extensions would not increase the maximum building heights or breach the height restrictions contained in the HERT2 masterplan.

Members were advised that Officers considered that the proposed development would be an appropriate design

solution that would make an effective use of the land and the consented buildings. The Principal Planning Officer said that all of the new dwellings would meet the nationally described space standards, and the daylight and sunlight tests would be passed for all of the units.

The Principal Planning Officer said that the scheme included some changes to the landscaping proposals, and some additional street level parking was proposed between buildings A and B and buildings C and D. The scheme also included new green spaces including the green link identified in the image which provided a direct connection between the tow path and the locally equipped area for play.

The Principal Planning Officer said that the current application was accompanied by an updated transport assessment, which includes a new trip generation calculation. The trip generation figures demonstrated that the proposed scheme would only result in a limited uplift in trips when compared with the consented scheme, and that Hertfordshire Highways had not objected to the application or indicated that the development would result in a severe impact on the local highway network.

Members were advised that the scheme also included a package of measures to promote sustainable and active modes of travel as an alternative to car travel. This included a full financial contribution towards sustainable and active travel projects in the area, the delivery of offsite highway improvements, a travel plan and travel vouchers for new residents.

The Principal Planning Officer said that the proposed scheme included an increase in the number of parking spaces when compared to the consented scheme. The overall level of parking would be below the adopted standards, and this was justified in this instance due to the sustainable location of the site.

Members were advised that the proposed parking space to dwelling ratio would be similar to proposals in the

consented scheme, and this further demonstrated that the proposed parking was appropriate.

The Principal Planning Officer said that it was considered that the amended scheme had struck a suitable balance between meeting the parking demand arising from the development while still seeking to limit parking provision to discourage car use.

Members were given a detailed breakdown of the Section 106 planning obligations and the financial contributions. The Principal Planning Officer said that all of the planning conditions from the first section 73 application that had not yet been discharged would be carried over. He said that any of the conditions that had already been discharged had been altered to compliance conditions and new conditions had been added where appropriate.

Members were given a detailed breakdown of the planning balance and were referred to the recommendation, the Section 106 legal agreement and the additional representations summary.

Jan Goodeve addressed the committee in objection to the application on behalf of Hertford Civic Society. Polly Mathews addressed the committee on behalf of the applicant. Members of the Committee asked questions of the applicant's speaker.

Councillor Alex Daar addressed the committee on behalf of Hertford Town Council. Councillor Maura Connolly addressed the committee as the local ward councillor for Hertford Kingsmead. The committee asked questions of Councillor Connolly.

Councillor Estop commented on why the drawings were in a condition and not listed in the description of the development. The Interim Team Leader (Strategic Applications Team) said that conditions could be imposed that listed drawing numbers as it was entirely likely and possible that changes would need to be made over the course of a development in respect of a large application.

Members were advised that having a decision notice that listed all the conditions would mean that applications could be made to change elements of the conditions. It would be unusual for Officers to not include a drawing numbers condition.

Councillor Stowe emphasised the importance of identifying which rooms would have the velux type windows. The Principal Planning Officer displayed a plan that showed how the living spaces would be served by velux roof type windows, Juliet balconies or the inset terraces.

Councillor Devonshire referred to affordable housing and viability and to the potential disparity between the starting point for affordable housing of up to 40%, and where the application was at this meeting. He referred to the cascade mechanism for affordable housing and asked about the unviability of the site and the reasons put forward by the applicant. He referred in particular to increased material costs and contaminated land.

The Principal Planning Officer confirmed that the highest cost for the developer was the build costs. He also mentioned the costs of decontaminating the site. The Interim Team Leader (Strategic Applications) said that developing a brownfield site presented major challenges in terms of viability and that there were therefore lower numbers for affordable housing for schemes on brownfield sites.

Members were advised that build costs had now increased to such a degree that the maximum figure of 15% for affordable housing on this development in 2020 was now unviable. This scheme now offered a more viable development and the method for securing affordable housing that had been agreed with the developer on this scheme was considered to be the optimum way of securing such housing whilst delivering full section 106 contributions towards all the various

mitigations that complied with the latest guidance for the additional units.

Councillor Bull expressed a number of concerns regarding the proposed lower percentage level of affordable housing and the sustainability of the proposed development.

Councillor Copley asked how the cascade mechanism for affordable housing would be enforced and how Officers would ensure that the best possible situation was secured in terms of the Section 106 legal agreement and monitoring the site.

The Principal Planning Officer said that the Heads of Terms of the Section 106 legal agreement included an engagement strategy whereby the developer would have to provide some information to Officers to explain how they would engage with registered providers and how they would ensure they would do their best to ensure to get a registered provider on board to take on the 56 units.

Members were advised that if that the developer had not been able secure a registered provider for the 56 units and the cascade mechanism to the discount market sale dwellings, the developer would be asked for a marketing strategy for how the dwellings would be marketed.

Councillor Smith commented on increasing vehicle trip generation, insufficient parking, vehicle charging points and the absence of solar power generation. He also commented on the insufficient provision of bird and bat boxes.

The Principal Planning Officer said that policy CC2 in the District Plan was the most relevant policy for sustainable design and that this policy required developments to encourage minimal carbon emissions and encouraged these emissions to be beyond building regulations. Members were advised that the developer had adopted a fabric first approach and that there were some heat source pumps proposed. The carbon emission reduction

would be beyond building regulations, and this was compliant with the relevant policies in the district plan.

Councillor Hill commented that installing solar panels was cheaper as part of a build when compared to locating such infrastructure in a field. He said that solar panels would make a positive contribution to reducing the carbon dioxide emissions of the actual fabric of the building.

Councillor Hill said that he would like to see more detail in respect of cycle infrastructure. He referred in particular to a government paper regarding the minimum widths of cycle paths and he asked for some more detail regarding the ambitions in respect of the width of the shared use cycle paths.

Councillor Estop referred in detail to guidance in the NPPF in respect of viability and affordable housing. The Interim Team Leader (Strategic Applications) said that the District Plan and the NPPF consider that viability was a material consideration, and the viability of the development was covered in some detail in the committee report.

Councillor Estop asked for some clarity in respect of the realisation of risk and the necessity of further viability assessments. She referred to review mechanisms and commented on their purpose as set out in the NPPF.

The Legal Advisor said that the preceding paragraph in the PPG talks about the viability assessment should be treated in decision making. Members were advised that the weight to be given to the viability assessment was a matter for the decision maker having regard to all the circumstances in the case. This was covered in paragraph 8 of the (Planning Policy Guidance (PPG)).

The Legal Adviser said that Members were looking at a comparison between what was consented and what was before the committee this evening.

Councillor Dunlop asked for some clarity regarding heat pumps and whether the heat exchangers were not going to be attached to the external walls. He referred to the possibility of a community heat hub. The Principal Planning Officer said that all of the flats would have quite generous cupboard spaces, and this is where the heat pumps would be installed and then have upward connections.

Members were advised that no external plant was proposed as part of the application and that the heat pumps were all internal to the relevant buildings. The Team Leader (Strategic Applications) said that the details of the air source heat pumps was covered by conditions and some of these elements of the scheme were covered by building regulations.

Councillor Stowe asked about the issue of noise in relation to the air source heat pumps. The Principal Planning Officer said that Environmental Health Officers were consulted on the application and had raised no objections.

Councillor Estop said that she was concerned about the location of the heat pumps and asked if a condition could be applied stipulating that there be no roof plant.

Councillor Devonshire said that EV charging provision was 10% of parking spaces with possibly a further 10% later. He said that if this was built in at the construction phase, it was first of all not enough. He asked if there could be more EV charges or, if not, could the council insist that the cabling was put in with the chargers being installed later on.

The Team Leader (Strategic Applications) said that condition 15 included details of EV charges and the policy set out that 10% was all that the council could require under the District Plan. He said that Officers could look at a form of wording that required details of how to secure future provision, i.e. the fitting of cables internally with details of this future proofing submitted to Officers.

The Team Leader (Strategic Applications) confirmed that the District Plan did not require a minimum standard for an EV charger, and that technology was improving all the time. Members were advised that it was likely that this development would include more up to date technology than what would have been installed 5 years ago. As policies changed, Officers would be in a position to secure the latest technology in respect of EV charges.

Councillor Copley mentioned the point that had been made about resident permit parking zones and whether this the only option, she asked if this could be included in the Section 106 legal agreement.

The Section 106 Programme Manager said that the original Section 106 legal agreement did have a contribution paid to Hertfordshire County Council for a controlled parking zone, and that she was working with the County Council to ensure that this was implemented.

Members were advised that in order to implement the controlled parking zone a revised parking strategy was required and that this would then provide the guidance and procedure for how controlled parking zones could be implemented going forward.

Councillor Devonshire asked about future proofing in terms of whether there would be enough power supply for EV charges. The Team Leader (Strategic Applications) said that the details of passive power supply for EV charges would form part of the discharge of conditions as the application progressed.

Councillor Hill commented on the standards of cycle infrastructure in reference to the tow path not being up to that standard. He said that he would like to see that standard more clearly defined against the available guidance.

The Principal Planning Officer said that the original scheme proposed to increase the tow path width along

the northern site boundary to 3 metres and that the plans showed the increased width of the tow path along that boundary of the site. Members were advised that there was also financial contribution which could go towards other improvements along the tow path.

The Principal Planning Officer said that the Canals and Rivers Trust had identified a number of areas along this stretch of tow path where repairs and improvements needed to be undertaken. He said that some of the sustainable transport contribution could go towards some of those repairs along the tow path.

Councillor Marlow asked if improving the tow path access between Hertford and Ware could be included in the conditions. The Principal Planning Officer summarised the wording in the heads of terms in respect of the Hertford to Ware Canal tow path and in particular the wording regarding enhancing the access between the development and Hartham Common and Hertford Town Centre and Ware.

Councillor Stowe referred to the concerns mentioned by the speakers in respect of traffic congestion on the roads. He also referred to position of Hertfordshire Highways and their disappointment that the parking provision was not lower.

The Principal Planning Officer said that a balance had to be struck between providing enough parking on the site to meet the demand from the development and also limiting car parking to discourage car use. Members were advised that the right balance had been reached regarding this application, and that Officers had acknowledged the position of Hertfordshire Highways and changing policy.

At 8:47 pm, Councillor Watson proposed, and Councillor Copley seconded, a motion that the meeting be adjourned for a 5-minute comfort break.

The motion was put to the meeting and upon a vote being taken, was declared CARRIED.

RESOLVED – that the meeting be adjourned for a 5-minute comfort break.

On the resumption of the meeting, Councillor Estop asked if there could be some clarity from Officers in respect of the increase in on street parking and also a plan showing why the podium was increased on the northwest block.

The Principal Planning Officer said that on street parking was increased in an area he had identified between building AB and building CD to the north. He said that there was a further 7 on street parking spaces along the spine road and the other spaces were all within the reconfigured podiums. Members were also shown a floor plan of the enlarged podium.

Councillor Copley asked for some clarity and more detail in respect of biodiversity and in particular anything that could be done to increase biodiversity net gain. She asked in particular about swift bricks and bat boxes. The Principal Planning Officer said that the biodiversity net gain was at 59.8% and this was largely provided through new areas of soft landscaping and new tree planting.

Members were advised that condition 56 sought an updated scheme in respect of bird boxes and bat boxes as the proposed provision was quite modest on this application. Councillor Hill said that it would be more advantageous to have swift bricks as all birds would use that provision whereas Swifts would not use bird boxes.

The Principal Planning Officer said that condition 56 could be updated in respect of having integrated bird and bat boxes and swift bricks. The Team Leader (Strategic Applications) said that Officers could include a form of words regarding additional swift bricks over and above the minimum number of 20. There was no policy guidance regarding the minimum number of swift bricks that should be provided.

Councillor Dunlop proposed and Councillor Marlow seconded, a motion that application 3/24/2147/VAR be granted planning permission subject to a Section 106 legal agreement and the

conditions detailed in the report, and subject to the following amendments to conditions:

- New condition regarding plant and machinery on the rooftop of the building.
- Updated condition 15 in respect of electric vehicle charging and a need to install infrastructure for passive charging.
- Update to condition 56 in respect of bird and bat boxes and swift bricks.

After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that application 3/24/2147/VAR be granted planning permission subject to a Section 106 legal agreement and the conditions detailed in the report, and subject to the following amendments to conditions:

- New condition regarding plant and machinery on the rooftop of the building.
- Updated condition 15 in respect of electric vehicle charging and a need to install infrastructure for passive charging.
- Update to condition 56 in respect of bird and bat boxes and swift bricks.

142 URGENT BUSINESS

There was no urgent business.

The meeting closed at 9.16 pm

Chairman
Date

East Herts Council Report

Development Management Committee

Date of Meeting: 15 October 2025

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 Vicky Glover-Ward, Executive Member for Planning and Growth
vicky.glover-ward@eastherts.gov.uk

Contact Officer Sara Saunders, Director for Place, Tel: 01992 531656
sara.saunders@eastherts.gov.uk

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Agenda Item 5a

DEVELOPMENT MANAGEMENT COMMITTEE – 15 OCTOBER 2025

Application Number	3/24/1275/FUL
Proposal	Construction and operation of a circa 24MW (AC) solar farm development with a (Battery Energy Storage System) BESS, and associated infrastructure
Location	Land to the West of Ware, Ware Park Farm, Ware, Hertfordshire, SG12 0DU
Parish	Hertford Town Council
Ward	Hertford Bengo

Date of Registration of Application	12 th July 2024
Target Determination Date	
Reason for Committee Report	Major application
Case Officer	Joanna Russell

RECOMMENDATION

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

1.0 Summary of Proposal and Main Issues

1.1 The Proposal comprises the construction and operation of up to 24 MW solar farm development, and associated infrastructure on land covering 18.3 ha, and includes:

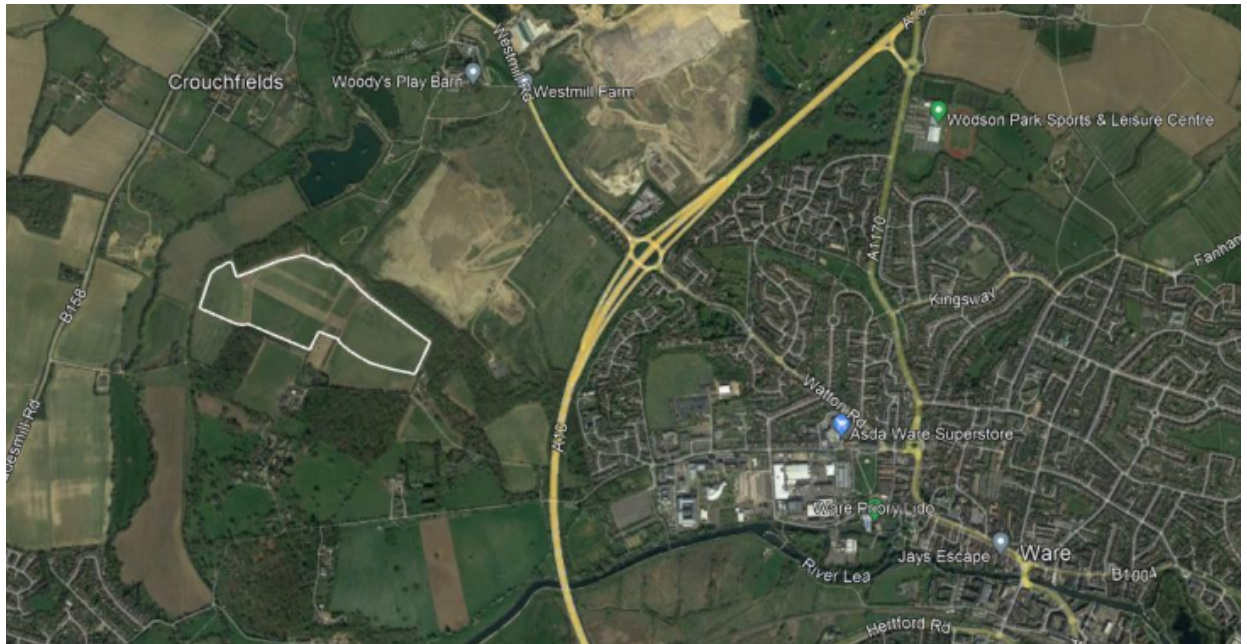
- Solar PV modules mounted onto arrays;
- Battery Storage System (BESS);
- Inverter/ Transformer units;
- Access tracks;
- Onsite cabling;
- Fencing and security measures; and
- Substation.

1.2 Underground cabling will also be required to connect to the nearby Glaxo Smith Kline (GSK) site who will be the off taker for any renewable energy generated by the solar farm with any excess generation being exported to the local electricity network.

1.3 The main issues arising from the proposals are considered in section 4 of this report.

2.0 Site and Surroundings

- 2.1 The Site is situated approximately 880m northwest of GSK, Ware and is agricultural land. It is located within the Metropolitan Green Belt and part of the site is located within an area of archaeological potential.



- 2.2 To the south and north-west of the site are blanket TPO's however there are no TPO's on the application site itself. The River Rib is located to the western side of the site, however the site is in flood zone 1. Public Right of Way Hertford 096 runs close to the eastern boundary of the site. The site falls within the area covered by the Bengoe Neighbourhood Plan. The topography of the site is gently sloping from south to north, with few distinguishing landscape features.
- 2.3 Access to the site can be gained via an existing private access off the B158 to the west, and existing farm access tracks. The site is made up of 3 fields. Field 1 is the most easterly within the application site. It comprises a broadly rectangular parcel of land which is largely flat in terms of topography and 4.8ha in size. This parcel is screened by mature woodlands located to the north, east and south.
- 2.4 Field 2 is the largest of the parcels of land, approximately 8.9ha and is irregular in shape. A mature copse of woodland is located along the southern and northwestern boundary. This woodland offers screening. However, the Field slopes from west to east, meaning that part of this field is viewed from long range vantage points to the west.

- 2.5 Field 3 is the western part of the site and is approximately 2.76ha in size. To the west is a mature hedgerow which offers visibility screening. Circa 188m to the west is the River Rib and flood risk associated with this feature is predominantly concentrated to the fields separating the site from the River Rib. This field slopes from west to east, however given the local topography it is largely screened from public vantage points with mature woodland to the north and south offering further natural screening.
- 2.6 There are no ecological designations within or in close proximity to the boundary of the Site.
- 2.7 The surrounding area is predominantly characterised by agricultural land. Westmills Farm lies to the north of the site and comprises a multi functional leisure and tourist destination, including camping and caravan site, restaurant, golf course, 3 fishing lakes, zorb strike, a fishing tackle shop, Garden Centre, Art and Pine furniture shops and model car offroad track, as well as Edge Outdoor Activities.
- 2.8 Westmill Quarry characterises much of the land to the north of the Application Site, further introducing an industrial land use to the wider west of Ware area. Residential properties are approximately 40m and 90m to the south of the Site. Ware Carmel monastery is circa 300m to the southeast of the site.
- 2.9 The site itself is remote and well contained by the boundary vegetation, rows of trees with only occasional gaps in the hedgerows (to the northeast) giving visibility from the public rights of way routes that are distant from the edges of the site.

3.0 Planning History

- 3.1 There is no relevant planning history.

4.0 Main Policy Issues

- 4.1 The main planning issues of the application relate to the provision of renewable energy, economic benefits, acceptability of the proposed location, landscape / visual impact, transport, noise and health safety considerations. The relevant policies in the National Planning Policy Framework (NPPF), National Planning Practice Guidance (NPPG), and the adopted East Herts District Plan 2018 (DP), are referenced in the table below.

Main Issue	NPPF	East Herts District Plan
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Principle of Development (renewable energy infrastructure)	Chapter 2 and 14 Government white papers and policy statements	INT1, DPS2, DPS4, GBR1, CC3, ED2
Green belt Impact	Chapter 13	GBR1
Economic considerations	Chapter 6	ED2 Vision and Strategic objectives
Landscape Visual Impact	Chapter 12, 15	DES2, DES3, DES4
Heritage Assets	Chapter 16	HA1, HA2, HA3, HA4, HA7, HA8
Ecology and Biodiversity	Chapter 15	NE2, NE3, NE4
Pollution	Chapter 1, 15	EQ1, EQ2, EQ3
Transport	Chapter 9	TRA1, TRA2, CFLR3,
Drainage	Chapter 14 And also NPPG	WAT1, WAT3, WAT5
Community Facilities	Chapter 19	CFLR7

Bengeo Neighbourhood Plan polices:

HBN3 Nature conservation
HBC1 Enhanced community facilities
HBC2 Listed buildings and structures
HBC3 Non designated buildings and structures
HBT1 Traffic congestion and road safety
HBH3 Landscape design
HBB1 Local business development

- 4.2 Other relevant issues and relevant guidance are referred to in the 'Consideration of Relevant Issues' section below.

5.0 Summary of Consultee Responses

- 5.1 HCC (Hertfordshire County Council) Highway Authority: Raise no objection subject to the imposition of a condition relating to the impact of the construction phase.
- 5.2 Lead Local Flood Authority (LLFA): Advise that the applicant has provided a Flood Risk Assessment (FRA), which accounts for the local flood risk issues and surface water drainage. Following a review of the submitted documents, the details are in accordance with NPPF and Local Plan policy WAT1, WAT3 and WAT5.

- 5.3 HCC Archaeology: No objection subject to imposition of a condition requiring a watching brief to be submitted and implemented.
- 5.4 HCC Ecology advisor: No objection subject to the imposition of conditions.
- 5.5 Natural England: The proposed development will not have a significant adverse impact on statutorily protected nature conservation sites or landscapes. No objection.
- 5.6 EHDC (East Herts District Council) Conservation and Urban Design Advisor: No objection - concurs with the findings in the heritage report that there would be no harm to the setting of the designated heritage assets in the vicinity of the site.
- 5.7 EHDC Environmental Health (Noise and light): No objection to the proposal.
- 5.8 EHDC Environmental Health (Land): Recommend condition requiring a scheme to deal with ground contamination.
- 5.9 EHDC Landscape Officer: Raises no objection. Concludes that there would be some adverse landscape impact but this of an acceptable level.
- 5.10 EHDC Sustainability Officer: Raises no objection.
- 5.11 UK Power Networks There is no UK Power equipment in the area and therefore no objection.
- 5.12 Affinity Water: There is no objection to the scheme subject to conditions relating to contamination through ground works, during construction and surface water drainage. The developer is also asked to contact the developer services.
- 5.13 The following external/internal consultees were also notified of the proposed development and have not provided any response:

Fire Hydrants
Hertfordshire Fire and Rescue
Hertfordshire Property
Cadent Gas Ltd
Fields in Trust
Herts and Middlesex Wildlife Trust

6.0 Town Council Representations

6.1 Hertford Town Council: Received 3 public comments – all in support and 2 were residents in Hertford. Summary of comments made:

- Visibly, the change of use of the land from agriculture to solar farm would be a disbenefit. However, offsetting this with carbon reduction and biodiversity net gain it would meet the Council's own objectives, subject to the following outstanding issues:
- The unknown and potential impact of the future cabling link between the solar farm and GSK, of which not even a proposed route has been submitted with this application.
- The potential vulnerability of the site to further applications for development if the cable route cannot be achieved after the planning application for the solar farm has been granted.
- Possible development of the site for housing after the 40 years and if approval is given for the solar farm
- The unresolved vehicular access for construction, the eventual dismantling of the installation and ongoing maintenance
- The maximisation of the potential for biodiversity net gains by extending the under seeding on the parcels to be occupied by solar panels, with a meadow mix designed to enhance biodiversity and managed for wildflowers and cut or conservation grazed to maximised biodiversity.
- The additional hedge planting specified above should be required to reduce the visual impact of the proposal on popular walking routes.

7.0 Summary of Other Representations

7.1 51 responses have been received from 47 households and 1 from CPRE. 39 of these from 38 households are in support, and 12 of these over 9 households plus CPRE are in objection. The issues raised are summarised below:

Support

- The area is out of public gaze

- The land is not used for food production as it is set aside and is low grade
- Solar panels would make a productive use of the land
- Benefit of power generation to grid and local business
- Environmental benefits of creating renewable energy
- Given the climate change emergency, the proposal is welcomed
- Visual impact will be minor – screening proposed is appropriate
- Solar farms can provide havens for wildlife
- The proposal will improve biological diversity, moving away from monocrop farming to regenerative farming practices
- The proposal helps the farming industry move towards net zero
- Decommissioning bond secures cessation after 40 years
- The proposal will be beneficial for the local community
- Renewable energy allows future generations to live safely
- Farming needs to diversify to survive
- The use is preferable to more houses
- Solar requires minimal maintenance, is quiet and does not contaminate land or water
- Benefit of grazing land and letting it turn to pasture
- The extra HGVs during the 6 months construction will not be an issue as the road widens at the bridge where there is a footpath
- As a society we should accept short term nuisance for long term benefits to society

Objection

- The land is green belt and performs an important function as open countryside
- The proposal would result in the loss of agricultural land and threaten food security
- The proposal would have an adverse landscape impact
- The cumulative effect of similar applications on green belt in Hertfordshire is damaging
- The proposal industrialises the land
- Solar energy should be achieved on previously developed land and on buildings
- The proposal would bring the planning system into disrepute
- 40 years cannot be considered temporary
- The proposal will result in significant noise
- Detrimental impact on wildlife / ecology
- Detrimental highways impact – lorries using a narrow lane with no pavement
- Pollution from lorries
- Site access is not appropriate

- The use of the employment site has recently reduced – energy is not required
- Concern about cabling

7.2 All of the above representations have been considered in the preparation of this officer report.

8.0 **Consideration of Issues**

Principle of Development

- 8.1 The principle of the development falls for consideration with regard to the provision of renewable energy, the location of the proposal within the rural area, the economic benefits of the provision, the loss of agricultural land; and its appropriateness within the Green Belt.
- 8.2 Consideration is also given to recent appeal decisions relating to similar development, in particular Land northeast of Wandon End, North Hertfordshire ref 22/03231/FP (North Hertfordshire Council) which was determined by appeal decision dated 15th July 2025.

Renewable Energy

- 8.3 The NPPF was updated in December 2024 to elevate the overall significance given to the benefits associated with developments for renewable energy or associated with the provision of renewable energy infrastructure. Paragraph 168 states that *‘When determining planning applications for all forms of renewable and low carbon energy developments and their associated infrastructure, local planning authorities should: a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and give significant weight to the benefits associated with renewable and low carbon energy generation and the proposal’s contribution to a net zero future’*.
- 8.4 In June 2019 the UK declared a climate emergency and amended the Climate Change Act 2008, introducing a legally binding target to achieve ‘net zero’ by 2050. The pathway to net zero is now firmly enshrined in the UK’s statutory and policy provisions.
- 8.5 The National Infrastructure Strategy – Fairer, Faster and Greener (November 2020), sets out the UK Government’s plans to deliver on its ambition to ‘deliver an infrastructure revolution’ a radical improvement in the quality of the UK’s infrastructure to help level up the Country, strengthen the Union and put the UK on the path to net zero emissions by 2050.

- 8.6 The Energy White Paper 'Powering Our Net Zero Future' (December 2020) highlights that clean electricity will become the predominant form of energy, entailing a potential doubling of electricity demand and consequently a fourfold increase in low-carbon electricity generation. This transition must be secured while retaining the essential reliability, resilience and affordability of energy.
- 8.7 The government paper 'Net Zero. Build Back Greener' (Oct 2021) sets out the vision for a decarbonised economy. It confirms that the net zero economy will be underpinned by cheap clean electricity, made in Britain. It highlights that *'a clean, reliable power system is the foundation of a productive net zero economy as we electrify other sectors – so we will fully decarbonise our power system by 2035, subject to security of supply.'*
- 8.8 As well as helping to address climate change, the British Energy Security Strategy (April 2022) indicates that renewable energy has a key role to play in providing greater energy security for the country and reducing our need to import energy.
- 8.9 The Government paper 'Powering Up Britain' (March 2023) states that *'One of the foundation stones of thriving economies is access to cheap, abundant and reliable energy... After decades of reliance on imported fossil fuels, the new department's mission is to replace them with cheaper, cleaner, domestic sources of energy... Energy security and net zero are two sides of the same coin'.*
- 8.10 Turning to the battery storage element of the proposal, the Energy White Paper 2020 is one of a number of recent government publications that highlight the need for battery storage to support the growth in renewable energy. It sets out that storage is needed to increase the reliability and security of the energy system by providing the ability to store surplus electricity in times of low demand and/or high production and releasing it when demand is high. Recognising the crucial role battery storage has in meeting the growth of electricity demand and maintaining a secure energy supply, the Clean Power Action Plan 2030 sets a target of achieving 23-27 GW of battery capacity by 2030, which represents a 400-500% increase over 5 years.
- 8.11 Battery Energy Storage Systems (BESS) are a separate and distinct facility. Whilst they are sometimes provided as part of a solar farm, they can, and often are, standalone development. In being co-located with the proposed solar farm the proposed BESS would make efficient

use of land and would enable the energy produced to be used effectively as well as providing flexibility for the grid. In accordance with recent appeal decisions, the benefit of this element of the proposal should be given significant weight.

- 8.12 In July 2019, East Herts Council approved a Climate Change Declaration in recognition of the climate emergency. This declaration committed the council to take action to address the causes and impacts of climate change across the district and is directed through the Climate Change Strategy 2022-2026.
- 8.13 In July 2023, the Council agreed a climate emergency, which both amplifies and accelerates efforts to tackle climate change in terms of reducing greenhouse gas emissions, restoring natural environments and planning for the local impacts of climate change.
- 8.14 On the basis of the above, the principle of renewable energy infrastructure is supported.

Locationality

- 8.15 While Local Plan policy DPS2 generally seeks to limit development outside of settlement hierarchy, policy CC3 specifically relates to renewable and low carbon energy and states that: *'The Council will permit new development of sources of renewable energy generation, including community led projects, subject to assessment of the impacts upon:*
- (a) environmental and historic assets;*
 - (b) visual amenity and landscape character;*
 - (c) local transport networks;*
 - (d) the amenity of neighbouring residents and sensitive uses;*
 - (e) air quality and human health; and*
 - (f) the safe operation of aerodromes...*

In considering the impact of renewable technologies, the Council will attach particular importance to maintaining the special countryside character of the rural area, including the preservation of long-distance views from public rights of way'.

- 8.16 Taking account of the wider policy context as detailed above, and the specific guidance in Local Plan policy CC3, while it is preferable for development to be located on previously developed land, given the nature of the proposal, the application site could be an appropriate

location in principle for the proposed development, subject to its detailed impacts.

Economic Consideration

- 8.17 Chapter 2 of the local plan sets out the vision for East Herts in 2033. This includes that the *'local economy in the District will have been supported, with provision having been made for the accommodation requirements of existing and new businesses...'*
- 8.18 Paragraph 81 of the NPPF seeks to ensure that planning decisions help create the conditions in which businesses can invest, expand and adapt, with significant weight to be attached to:
- '...the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential.'*
- 8.19 Policies relating to the rural economy are also appropriate, with paragraph 84 of the NPPF seeking to achieve the following:
- 'a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;*
b) the development and diversification of agricultural and other land-based rural businesses;...'
- 8.20 Paragraph 85 sets out that decision should recognise that sites to meet local business needs may need to be found adjacent to or beyond existing settlements.
- 8.21 The Proposal will connect directly into the GSK Ware factory. The cable route will go out the north of the factory and will connect to the proposed solar farm via the adjacent land parcels.
- 8.22 The submission advises that the upgraded grid connection will allow additional export capacity for GSK which will enable futureproofing of their facility through electrification and also that this is key to them achieving their net zero targets.

- 8.23 The Ware plant is a major energy user. The application outlines that in total the factory consumes approximately 57GWh of electricity per annum, the equivalent to 19,600 houses. The proposal is estimated to generate approximately 21GWh of electricity per annum, the equivalent to 7,200 houses. This would significantly reduce their reliance on wholesale energy and assist in their target towards achieving carbon neutrality by 2045.
- 8.24 The proposal would contribute towards the sustainability and future energy security and therefore contribute to the economic stability of a significant local employer, which constitutes a nationally significant facility in Medical and Scientific Research and Development. In this regard the proposal is supported.

Community Support

- 8.25 The application is accompanied by a commitment to implement a Community Benefit Fund for the benefit of the locality of £15,000 per year for the 40 year lifespan of the solar farm. This can be used in accordance with Local Plan policy CFLR7 which supports the provision of community facilities in conjunction with new development.

Loss of Agricultural Land

- 8.26 Policy ED2 of the District Plan relates to the rural economy and outlines that where proposals result in the loss of an agricultural or employment use in a rural area, evidence will be required to demonstrate that the current agricultural or employment use is no longer needed or viable.
- 8.27 NPPF Paragraph 180(b) seeks to recognise the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – *‘including the economic and other benefits of the best and most versatile agricultural land [BMV], and of trees and woodland’.*
- 8.28 Footnote 62 of NPPF states that *‘Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality. The availability of agricultural land used for food production should be considered, alongside the other policies in this Framework, when deciding what sites are most appropriate for development.’*
- 8.29 The application is accompanied by an agricultural land classification report. This demonstrates that the BMV Grade 2 and 3b land equates

to just a fifth of the overall site area. The importance of this in the context of agricultural performance is that the farming regime which can be adopted will largely be determined by the potential of the poorest quality land on the Site, thereby limiting the extent to which the capacity of the higher quality land can be exploited. In this instance, cropping is therefore limited to a conventional combinable crop rotation principally for animal feed.

- 8.30 Therefore, there is only a limited loss of food security from the proposal. This is in compliance with the aspirations of Footnote 62 of NPPF.
- 8.31 The installation of the arrays would occupy less than approximately 5% of the Application Site area. The infrastructure associated with the development, including inverter/ transformer units and access tracks will cover less than 10% of the ground. The BESS will cover less than an additional 1% of the Site. On this basis, the remainder of the land would be accessible for the growth of vegetation and can be utilised for biodiversity enhancements for the lifespan of the proposal.
- 8.32 Officers have given due regard to the consideration of previous appeal decisions in relation to Solar Farm and BESS applications in determining the level of adverse weight to be afforded in the balance. In particular, it has been noted by appeal Inspectors that loss of agricultural land is not considered to be 'significant' within the planning process if less than 20ha in size.
- 8.33 Of additional consideration is that the proposal will not permanently remove best and most versatile agricultural land from an active agricultural use. Whilst there will be temporary loss of a range of agricultural land classifications, this is entirely reversible. The cessation of the development after 40 years of operation and reinstatement of former use is a matter that can be controlled by the imposition of a condition.
- 8.34 While the land used for solar energy generation will cease to be used for arable production, the application advises that it would still be compatible with sheep grazing and as such will not therefore be wholly lost to potential of agricultural use during the period of a temporary consent.
- 8.35 Taking account of the above, and in light of recent appeal decisions, it is concluded that the proposal would not have a significant impact on agricultural productivity and no objection is raised to the proposal on this basis.

Green Belt Impact

- 8.36 As set out in paragraph 147 of the NPPF, where a proposal is inappropriate development in the Green Belt, it is by definition harmful and should not be approved except in very special circumstances.
- 8.37 Paragraph 148 of the NPPF advises that substantial weight should be given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm, is clearly outweighed by other considerations. Therefore, the harm in principle to the Green Belt remains even if there is no further harm to openness because of the development.
- 8.38 Openness is an essential characteristic of the Green Belt and is different from visual impact. Openness is about freedom from built form. Even if there is absence of harm to openness, there can be harm in principle to the Green Belt from inappropriate development.
- 8.39 Paragraph 151 of the NPPF confirms that, most renewable energy projects will constitute inappropriate development and that very special circumstances will be required. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources.
- 8.40 The proposed development is not appropriate within the Green Belt and is by definition harmful to the Green Belt. Therefore, a case of very special circumstances is required. This has been made and is set out below. It will be considered in the planning balance section of the report once it is established if 'any other harm' exists.

Very Special Circumstances Case

- 8.41 The applicant has submitted a case for very special circumstances to support development in the green belt which is harmful by reason of inappropriateness. They are as follows:
- The power generated by the solar farm will directly supply GSK Ware site. This shows confidence in the business through a long-term investment in energy.
 - A long-term, cost-effective energy agreement means job security. This has indirect benefits to the local community where employees live, as they will be spending wages in local shops and services etc.

- A significant biodiversity net gain.
- The location of the solar farm close to the GSK factory mean that employees can see where their renewable energy is coming from.
- The proposal helps the Government meet their legally binding targets for net zero and increased renewable energy.
- The Site will be utilised for sheep grazing and will not lead to a permanent loss of agricultural land.
- A Community Benefit Fund will be provided of £15,000 per year for the 40-year lifespan of the solar farm.
- Limited other impact.

Landscape Considerations

8.42 Paragraph 013 of the National Planning Practice Guidance sets out the planning considerations that relate to large scale ground-mounted solar photovoltaic farms and states that:

‘The deployment of large-scale solar farms can have a negative impact on the rural environment, particularly in undulating landscapes. However, the visual impact of a well-planned and well-screened solar farm can be properly addressed within the landscape if planned sensitively’.

- 8.43 The guidance recognises that solar farms are normally temporary structures and planning conditions can be used to ensure that the installations are removed when no longer in use and the land is restored to its previous use.
- 8.44 It advises that with effective screening and appropriate land topography, the area of a zone of visual influence could be zero.
- 8.45 Local Plan policy CC3 requires new development of sources of renewable energy to be assessed against visual amenity and landscape character. Policy DES2 states that development proposals must demonstrate how they conserve, enhance or strengthen the character and distinctive features of the district’s landscape. In accordance with the requirements of the policy, a Landscape and Visual Impact Assessment (LVIA) has been provided which addresses the impact, mitigation and enhancement opportunities of the proposal.
- 8.46 The appraisal notes that there are limited landscape features on the site itself, although the site is bound by woodland to the north, south and east. To the western boundary a narrow tree belt bounds the site.

- 8.47 Several compacted earth tracks are evident across the site, primarily along the field boundaries providing access for farm vehicles. There are no public rights of way accessing the site although there are several in the wider LVIA study area. The closest public footpath lies 0.05km from the south east corner of the site, connecting the western edge of Ware to the Hertfordshire Way recreational route. There are several public bridleways and footpaths to the west of the site and west of the River Rib, these are generally located on the boundaries of fields and woodlands.
- 8.48 There are no landscape designations located on the site although Waterford Heath Local Nature Reserve (LNR) lies 1.9km to the west of it and a Site of Special Scientific Interest (SSSI) lies approximately 2km to its north east. The closest areas of Ancient Woodland lie to the north west of the site, located between the railway line and the A602.
- 8.49 The appraisal identifies that the Site is located entirely within the Natural England National Character Area (NCA) 111: Northern Thames Basin, as well as the majority of the study area. The north of the study area lies within NCA 86: South Suffolk and North Essex Clayland.
- 8.50 The site and immediate surroundings fall within Landscape Character Area (LCA) 76 Ware Parklands of the East Herts District Landscape Character Assessment 2007.
- 8.51 The Appraisal sets out in detail the predicted effects of the development during construction and once completed at years 1 and 15. In summary, landscape character is more likely to be affected at a local scale and this is not considered to be significant.
- 8.52 There will be limited effects on the site-specific landscape characteristics of the proposed site, including the landform, vegetation and land use. These site characteristics are generally of low value and low sensitivity.
- 8.53 Potential changes in view are likely to be experienced from residential receptors, local road users and users of the public right of way network up to 1.5km from the centre of the site. Due to the topography of the site and the surrounding woodland context, views of the site as a whole are not possible, with receptors experiencing partial views of the proposed development. The most severe visual effects are anticipated to be substantial / moderate at construction, reducing to moderate upon completion. Generally, the majority of visual effects are

anticipated to be moderate, reducing to moderate/ slight or slight upon operation once landscape proposals have further established.

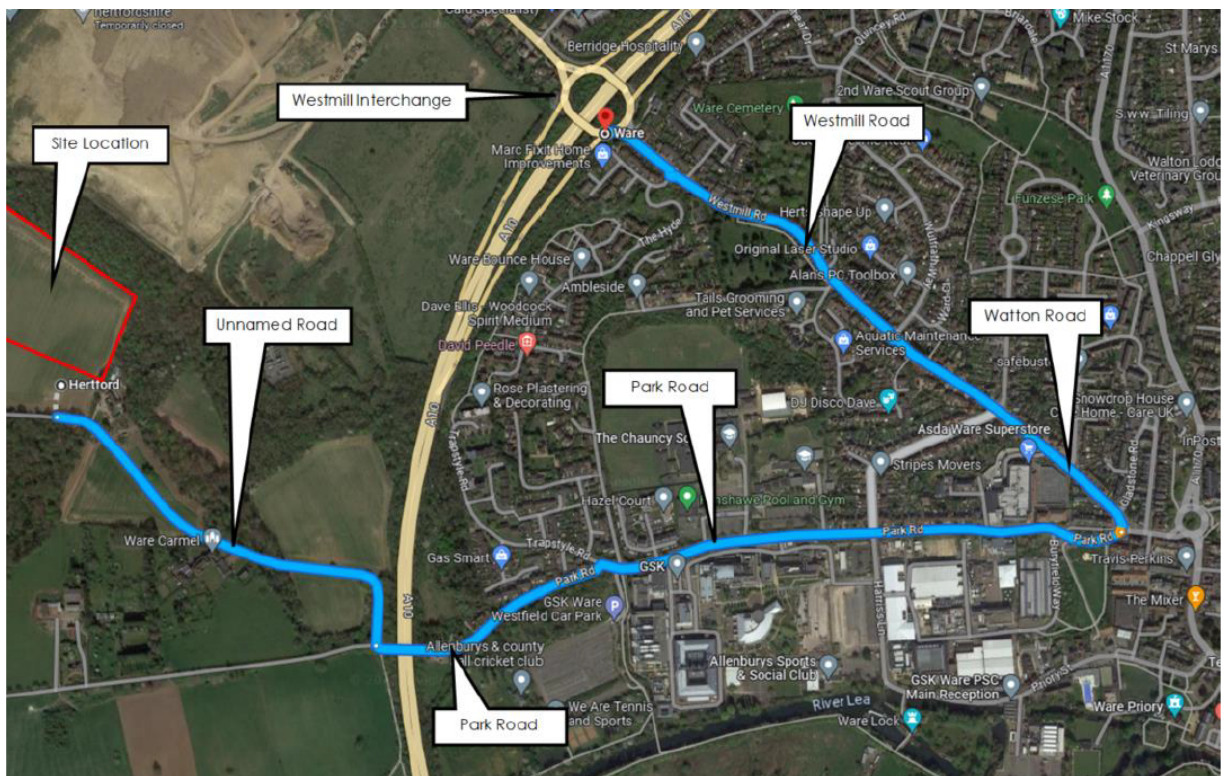
- 8.54 The submission includes an addendum to the initial landscaping proposals and LVIA which proposes reinforcement of planting along the southern and eastern boundaries of the site. The Landscape Officer considers that this additional information has addressed their initial comments and supports the conclusions of the Landscape Visual Impact Appraisal that there would be a minor adverse impact upon landscape character and a minor adverse impact upon visual receptors.
- 8.55 Initial Landscape Officer comments advised that the western portion of the site occupies the highly sensitive valley slopes. Development should be contained within the flatter plateau area alongside a suite of robust mitigation and enhancement measures that serve to protect highly sensitive views from the wider area and delivers a permanent landscape enhancement.
- 8.56 An amended layout was consequently put forward to include the partial removal of solar panels from within field 3 and the introduction of a grassland landscape buffer alongside a smaller block of woodland and a 5m shelterbelt to the western side of field 2. This reduces landscape and visual impacts compared with the initial submission.
- 8.57 The revised Landscape Proposal Plan confirms the shelterbelt would comprise a native hedgerow alongside the existing track with native trees to the grassland side. The landscape officer has advised that they fully support this approach in principle, but it must in practice achieve a density of canopy cover to provide year-round screening. This can be secured via condition.
- 8.58 While the retention of some panels within field 3 continues to introduce development within an otherwise open river corridor, this is balanced against the creation of grassland here (albeit beneath the panels) that is more characteristic of the river corridor landscape than the current arable land use. On this basis, the impact on landscape would be adverse, however is not considered significant.
- 8.59 The amendments also reduce the visual impact on the most sensitive visual receptors i.e. users of the restricted byway and footpath (Hertford 001) to the southwest. From here the area of panels visible would be reduced and partially screened by the shelterbelt. The impact on views would be adverse but not significant.

- 8.60 In accordance with local plan policy DES2, the impacts, mitigation and enhancement opportunities of the proposal have been appropriately addressed, and subject to mitigation measures as detailed in the submission and required by condition, the harm in terms of landscape impact is not sufficient to warrant refusal of the proposal. The Landscape Team have raised no objection to the proposal on this basis. Regardless, the harm will be balanced against the public benefits of the proposals in later sections of this report.

Transport

- 8.61 District Plan 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'*.
- 8.62 The Transport Statement submitted with the application outlines the potential transport impacts of the proposals. Once the development is operational, the site will generate an average of one vehicle trip per month. During construction, the impact would be significantly greater.
- 8.63 The construction period of the proposed development is anticipated to take approximately 3 months. The maximum number of staff employed on the construction of the development is up to 60. It is unlikely that all staff will be onsite at the same time, and therefore an estimated daily average of 30 staff members on site has been assumed.
- 8.64 The submission advises that car/van sharing will be actively encouraged (along with other sustainable modes of transport, where possible). It is anticipated that construction workers will generate 20 trips in a morning and 20 trips in an evening.
- 8.65 The scheduling of HGV movements will be strictly managed through the construction traffic management plan (CTMP) to ensure disruption is kept to a minimum. This includes the provision of a passing place – the applicant has demonstrated to the satisfaction of the highways authority that this can be provided. The majority of the HGV movements are associated with the delivery of the solar panels and the structures supporting them. It is anticipated that there would be an average of 60 HGV deliveries per month, or around 3 per day (6 two-way trips).

- 8.66 Working hours at the site and deliveries can be agreed to avoid the peak drop-off and pick-up periods associated with schools located along the proposed construction vehicle route and school parking along Park Road. This can be agreed through submission of the final CTMP (required by condition).
- 8.67 It is proposed that a construction compound and HGV turning area will be provided within the site and will remain for the duration of the construction period. It will be of a sufficient size to store materials for the construction of the solar farm, and for vehicles to park and turn around.
- 8.68 A CTMP has been prepared to include additional information for the construction phase of development (including routing and timings of vehicle movements to minimise impact on the local community and traffic in the vicinity of the site). The proposed vehicle routing is shown below:



- 8.69 Hertfordshire County Council Highways Authority has advised that it is satisfied that it is feasible for the site to be constructed in a way that reduces risks to the member of the public who use the public rights of way and highway network around the proposed solar farm. The applicant has illustrated that construction can be achieved with the use of banksmen, signs, a passing place, a lorry waiting area and suspension of parking. These along with timescales would need to be

included in a final iteration of a CTMP which can be secured by condition.

- 8.70 Subject to the imposition of conditions, the proposals would accord with policy TRA2.

Heritage Impact

- 8.71 Section 66 and 72 of the Listed Buildings and Conservation Areas Act 1990 require that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses; and to the desirability of preserving or enhancing the character or appearance of a conservation area. This is reiterated in the policies in Chapter 21 of the Local Plan.

- 8.72 A Heritage Assessment has been submitted which identifies that there are no heritage assets within the application site. The application site is within the setting of the following:

- Tudor Deer park – Non designated heritage asset.
- Ware Park – Locally Important Historic Park and Garden (non-designated heritage asset). The site contributes to its setting.
- Pomarium and walled garden, Forecourt Wall and Hermitage and Grotto all Grade II listed. All lie to the south of the proposed development. The Grotto is on the Building at Risk list.
- There also a number of Grade II listed buildings located further away from the proposed development; South Lodge, The Lodge, Riversdale Mill House and Gauge House and Westmill Farmhouse. These were historically associated with Ware Park and therefore have historic association with the landscape. The Heritage Officer has advised that due to the distance, the topography and the vegetation, there is no intervisibility between these buildings and the application site, so that their setting would not be directly affected, and they are scoped out of further discussion.
- The Heritage Officer has advised that the Hertford Conservation Area, including the listed buildings within it, would also not be impacted, as there would be no intervisibility and they are similarly scoped out of further discussion.
- The Heritage Officer has advised that the building range to the south of Ware Park Farm, which is attached to the northern wall of the Pomarium's walled garden, is of historic significance.

However, due to the presence of modern farm buildings between these structures and the application site, their setting would not be impacted by the proposals, and they have been scoped out of further analysis.

- 8.73 The Council's Heritage Officer has considered the submitted Heritage Statement and assessed the significance of the assets and the impact of the proposal upon them. They have concluded that through the proposed development, the rural character of the site would be altered; however, this is reversible. The historic pattern of the fields would be retained and due to the low height of the arrays, the openness of the site would be preserved. The surrounding woodland would not be affected, and new hedgerows would be planted to provide screening. The vegetation, combined with the topography, would prevent any views of the solar farm from within the historic designated landscape and from the Listed Buildings. The changes to the character of the rural landscape by the solar farm would not cause harm to the significance of the heritage assets. Thus, there is no objection to permission being granted.
- 8.74 On this basis, the proposals would preserve the character, setting and appearance of the nearby heritage assets in accordance with the requirements of the 1990 Act, the NPPF and Local Plan policy.

Archaeology

- 8.75 District Plan policy HA3 seeks applicants to engage with the Hertfordshire Historic Environment Unit where a proposal has the potential to impact upon the archaeological value of a site.
- 8.76 The proposed development lies partly within the Area of Archaeological Significance no. 48, as identified in the Local Plan. This covers Ware Park Farm and Ware Park Manor, along with some surrounding fields. The area was part of a large deer park in the medieval and post-medieval period and it is possible that the origins of the park stretch back into the Anglo-Saxon period.
- 8.77 The submitted geophysical survey report resulted in 'two roughly oval anomalies' being identified, that are likely archaeological in origin and prehistoric in date. The submitted Heritage Statement has assessed the potential for previously identified archaeological deposits to survive in the application site to be high and potential for previously unidentified archaeological deposits to be medium to high. The Heritage Statement also notes an 'Archaeological Exclusion Area' has

been placed around the archaeological anomalies so as to avoid direct impact of known archaeological remains during development.

- 8.78 The County Archaeologist has considered the submitted Heritage Statement along with the geophysical survey report and has concluded that the proposal is likely to have an impact on heritage assets with archaeological interest, which can be mitigated post-determination. They have recommended that conditions can be imposed to mitigate against any potential impact in this regard.
- 8.79 Subject to the imposition of conditions, the archaeological impact is acceptable and in accordance with Local Plan policy HA3.

Drainage / water management

- 8.80 Local Plan policy WAT1 addresses the management of flood risk. Policy WAT3 relates to the quality of water, and WAT5 requires appropriate sustainable water management and Sustainable Drainage Systems to be implemented.
- 8.81 The proposed solar farm is classified as essential infrastructure, which is considered acceptable in terms of flood risk in Flood Zone 1 and 2 (low to medium risk). The application site sits within Flood Zone 1.
- 8.82 A Flood Risk Assessment (FRA) has been submitted. This identifies that the majority of the site is at a negligible risk of flooding from all sources. There is a negligible risk of fluvial flooding across the majority of the site with a medium risk at the westernmost extent adjacent to watercourses. The risk of groundwater flooding is assessed as negligible for most of the site but low to high below ground and low above ground in the western extent. A low risk of surface water flooding is identified where there are small isolated areas of surface water ponding.
- 8.83 The FRA outlines a range of approaches to how this risk can be mitigated including that runoff will shed off the proposed solar panels/infrastructure footprints, and flow overland with some infiltration at source. It identifies that the stilted nature of the solar panels means increases in impermeable area would be negligible. Passive drainage (i.e. field-scale soil treatment, vegetation cover between solar arrays, and under-sowing) will be utilised to manage and reduce the flood risk posed by the surface water runoff from the proposed development. Concentrated runoff from hardstanding areas (building footprints) will be intercepted and attenuated by SuDS features (i.e. filter drains).

- 8.84 Recent changes to National Planning Policy Guidance makes clear that a proportionate approach should be applied to assessing flood risk. The Sequential Test is not required to consider surface water flooding if it can be shown that a development can be made safe from surface water flooding for its lifetime without impacting on flood risk elsewhere. Therefore, on the basis that this can be demonstrated within a site-specific FRA, there is no requirement to consider the Sequential Test for surface water.
- 8.85 Hertfordshire as Lead Local Flood Authority have advised that the applicant has provided an FRA to account for the local flood risk issues and surface water drainage at this location. Following a review of the submitted documents, they consider that the details are in accordance with NPPF and Local Plan policy WAT1, WAT3 and WAT5. They have recommended conditions requiring the submission and implementation of a surface water drainage scheme.
- 8.86 Turning to the matter of groundwater, the application site is located near an Environment Agency defined groundwater Source Protection Zone 1 (SPZ 1) corresponding to the Wade Pumping Station. This is a public water supply, comprising a number of Chalk abstraction boreholes, operated by Affinity Water Ltd.
- 8.87 The consultee in this regard has advised that subject to the imposition of conditions, there would be no objection to the proposal. On this basis, the impact on the groundwater source protection zone is concluded to be acceptable.
- 8.88 Subject to the imposition of conditions, the proposals accord with policies WAT1, WAT3 and WAT5 regarding sustainability and water management.

Trees, Ecology and Biodiversity

- 8.89 In England, Biodiversity Net Gain (BNG) is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). Under the statutory framework for BNG which came into effect on 12th February 2024, every grant of planning permission, subject to some exceptions, is deemed to have been granted subject to the condition that the biodiversity gain objective is met. The objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat

- 8.90 Alongside the statutory requirement, 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'*.
- 8.91 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.
- 8.92 The application is accompanied by a Preliminary Ecological Appraisal (PEA). This sets out the methods and findings of a desk study, an extended Phase 1 habitat survey, a badger survey, a great crested newt (GCN) Habitat Suitability Index (HSI) and eDNA survey of two ponds and surveys to evaluate the population of breeding birds.
- 8.93 Based on the findings of the surveys, the report describes the habitats present on the site, the potential for protected or notable species to be present and the results of the species surveys.
- 8.94 HCC Ecology have assessed the submission and advised that the site has been assessed as being of low intrinsic ecological value and they have no reason to consider that there is a fundamental ecological constraint to the proposal subject to suitable mitigation and compensation measures. Areas of Woodland and hedgerows adjacent to the application site are priority habitats and should be retained and suitably safeguarded.
- 8.95 HCC Ecology advise that there is sufficient information on great crested newts for determination. The two ponds identified outside the site were assessed and although the ponds did have some suitability for this species, EDNA surveys conducted within the optimal season, found no evidence of their presence.
- 8.96 Precautionary measures relating to badger presence as detailed in the PEA, in addition to a pre-construction walk over survey can be secured by condition.
- 8.97 In order to ensure that protected species are suitably safe guarded, compensation measures outlined in the supporting ecology reports and landscaping strategies can be secured by condition. Method statements based on the mitigation within the PEA can be secured

through condition requiring submission and implementation of a Construction Environmental Management Plan.

- 8.98 The PEA states that the grassland habitats planted under and around the solar arrays will support a greater insect prey resource for nesting birds, resulting in increased breeding populations of many farmland birds. This general increase is considered as offsetting the loss of nesting habitat to sky larks. To ensure this, a farmland bird management and monitoring plan can be secured by condition.
- 8.99 With regard to BNG, a Statutory Biodiversity Metric has been submitted which reflects the landscaping as revised post submission. This shows a calculated Net gain of 89.06% for area habitats (30.04 biodiversity units) and a net gain for Hedgerows of 1,553.64% (6.06 biodiversity units). On this basis, the statutory BNG condition would be met and exceeded.
- 8.100 The proposed BNG includes areas of medium distinctiveness habitats and sufficient BNG units to be considered as a significant enhancement.
- 8.101 How BNG target habitats and their condition are achieved and maintained for 30 years will need to be demonstrated using a Habitat Management and Monitoring Plan (HMMP). This will be secured by condition along with the Biodiversity Gain Plan.
- 8.102 The application is accompanied by an Arboricultural Impact and Method Statement underpinned by survey work. This identifies that the development is not expected to require the removal of existing trees and hedgerows. Indirect impact on the retained trees can be minimised by the use of a protective barrier along the edge of the development, and this can be secured by condition.
- 8.103 On the basis of the above, the proposals accord with Local Plan policies NE2 and NE3 and subject to the imposition of conditions, no objection is raised to the ecology impact of the proposal.

Amenity / pollution / public safety

Noise

- 8.104 Local Plan policy EQ2 seeks to minimise noise impact with particular consideration given to the proximity of noise sensitive uses.

- 8.105 The application is accompanied by an Operational Noise Technical Note (and supplementary information relating to the impact of the operation of the transformers) on nearby noise-sensitive residential properties. This concludes that noise from the development would not adversely affect residential amenity.
- 8.106 Environmental Health Officers have reviewed the submitted information and agree with the conclusions of the assessment that noise from the site will have a negligible/low impact and that the low frequency noise from the transformers would be below the guideline level set out in the NANR 45 criteria for low frequency noise and therefore they have no objection to this application. As such the proposal accords with policy EQ2 in terms of noise impact and can be conditioned to ensure that this remains the case.

Ground Contamination

- 8.107 The application is accompanied by a Contamination Desk Study report. The Councils Environmental Health Officers advise that in light of the submitted information, it will be necessary for the applicant to demonstrate that the potential for ground contamination has been appropriately assessed and managed, and recommend imposition of a condition to secure this.

Public Safety

- 8.108 The proposal includes the installation of a Battery Energy Storage System (BESS). The BESS will be within containerised units.
- 8.109 The proposed battery is a 15 MWh system (5 MW, 3 hour system), this system will be used to store the solar power at peak generation times when the GSK facility is unable to use it. The BESS will then discharge this power later when the GSK facility requires it. The system will be designed to ensure that GSK can utilise the maximum amount of energy from the solar array.
- 8.110 Hertfordshire Fire and Rescue have been consulted on the application but have made no comment. Regardless, guidance does exist - The National Fire Chiefs Council (NFCC) Guidance on Grid Scale Battery Energy Storage Systems. It should be noted that the NFCC produced updated draft guidance for consultation in August 2024, to take into account technological development of BESS, although a final version has not yet been issued.

- 8.111 The guidance includes a number of best practice recommendations for developments to incorporate.
- 8.112 In addition, the Department for Energy Security and Net Zero published guidance on Health and Safety in Grid Scale Electrical Energy Storage Systems in April 2024. This document includes many of the principles within the NFCC guidance.
- 8.113 In light of the above guidance, submission of a comprehensive Battery Safety Management Plan can be required by condition and the Fire and Rescue Service would be a consultee for any forthcoming discharge of condition submission.

9.0 Planning Balance and Conclusion

- 9.1 The proposal will support the supply of renewable energy. The principle of this is supported by overriding government policy and also local and national planning policy, with the NPPF requiring Local Authorities to give 'significant' weight to the benefits associated with renewable and low carbon energy generation.
- 9.2 The location of the site within the green belt is a consequence of the need to locate the facility in close proximity to GSK who will benefit from a large proportion of the generated energy.
- 9.3 There would be an economic benefit in terms of energy security for a significant local employer which is a national bio-medical research and development company with the proposal enabling the business to invest and adapt and address the challenges of the future. Great weight is attributed to this benefit.
- 9.4 The proposals would also result in new tree and landscape planting, delivering a BNG of 89.06% for area habitats and a net gain for Hedgerows of 1,553.64%. The proposals would also result in limited positive economic benefits in terms of construction job generation and an ongoing contribution proposed by the applicant and towards the provision of community facilities for the life of the development. These have been attributed limited positive weight as part of application decision making.
- 9.5 Some harms have been identified as arising from the proposal. These need to be balanced against the benefits identified above. The proposal would result in harm to landscape character, noting the temporary nature of the installations and mitigation from proposed landscaping / planting. There would be limited harm from the

temporary loss of agricultural land. In addition, the proposals would result in increased construction vehicle traffic, which notwithstanding compliance with policy TRA2 is attributed some limited harm in terms of the balance.

- 9.6 All other matters relating to flood risk, heritage impact, etc are neutral or mitigated through planning condition.
- 9.7 The application site is located within the Green Belt and as concluded above, the proposed development represents inappropriate development and is by definition harmful to the Green Belt.
- 9.8 A case for very special circumstances has been made and consideration is also given to how Inspectors have recently dealt with this matter in similar applications.
- 9.9 It is concluded that the benefits of the proposal as detailed above, along with the specific geographical requirement to locate the facility in close proximity to GSK, provide very special circumstances which outweigh the harm by inappropriateness to the Green Belt and the other harms identified.
- 9.10 On this basis, applying the NPPF presumption in favour of sustainable development, on balance and for the reasons detailed above, it is recommended that planning permission be granted for the proposal.

RECOMMENDATION

Grant planning permission subject to the following conditions:

Time limit

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).

Approved plans

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.

Details of colour / finish of equipment

3. Notwithstanding the details contained in the plans approved under Condition 2, no development shall take place until full details of the:

- final positioning;
- design; and
- materials
- of any above-ground structures, including, but not restricted to Solar panels and support structures, Sub-stations, BESS units, security fencing, CCTV cameras and supports, Security lighting and supports, all fencing and gates, and hard landscaping have been submitted to the Local Planning Authority and approved in writing. The approved details shall be implemented and retained in full thereafter.

Reason: In order to safeguard the character and appearance of the surrounding area, in accordance with Policies DES2 and DES4 of the East Herts District Plan 2018.

Temporary period only

4. Planning permission is granted for a temporary period only and shall cease to have effect 40 years following the date of first use. Written notification of the First Use Date shall be given to the local planning authority within 30 days of it happening.

Reason: To allow the site to return to its agricultural use in accordance with East Herts District Plan policy ED2.

Removal if use ceases

5. In the event the development ceases to provide energy to the grid or GSK Ware for a continuous period of 12 months, a scheme of restoration for the removal of the solar farm and all associated development, shall be submitted to and approved in writing by the local planning authority within 3 months from the end of the 12-month period. The approved scheme of restoration shall then be fully implemented within 12 months of written approval being given, unless otherwise agreed in writing by the local planning authority.

Reason: To allow the site to return to its agricultural use, and to safeguard landscape character in accordance with East Herts District Plan policies ED2 and DES2.

Battery Energy Storage safety

6. Works to form the Battery Energy Storage infrastructure shall not commence until a Battery Safety Management Plan (BSMP) has been submitted to, and approved in writing by, the local planning authority. The BSMP will include details of battery management, fire suppression systems, fire hydrant provision, water supply, maintenance and emergency access to ensure any fire risk is minimised. The BSMP will demonstrate consideration of the National Fire Chiefs Council guidance in accordance with National Planning Policy Guidance and any relevant Fire Protection Association guidance. An Emergency Response Plan will also be provided to Hertfordshire Fire and Rescue Service and the Local Planning Authority that summarises the installed battery system characteristics, layout, and electrical isolation procedures. The Development shall be implemented in accordance with the approved details prior to the Battery Energy Storage Infrastructure being brought into use and retained as such thereafter.

Reason: In the interests of safety and to ensure that the proposed development would accord with the relevant fire safety guidance, including guidance from the National Fire Chiefs Council and international standards; and in accordance with East Herts District Plan policy DES4.

Construction Traffic Management Plan

7. The development shall not commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Traffic 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, pedestrian routes and remaining road width for vehicle movements;
- k. Phasing Plan.
- l. Detailed information on car sharing and sustainable travel options for workers on site to reduce the impact of single occupancy car travel to the site
- m. Information on any signs required including the use of banksmen
- n. Information on the suspension of parking along Trapstyle road
- o. Detailed information on the construction of any passing places along with the material required to do so.
- n. Best Practicable Means (BPM) shall be used in controlling dust emissions during all site preparation, demolition, construction and ancillary activities

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) and East Herts District Plan Policy TRA2.

Construction Environmental Management Plan

8. No development shall take place (including demolition, vegetation clearance or ground works – but excluding any investigatory works required in connection with discharge of a planning condition) until a Construction Environmental Management Plan (CEMP) including a section for ecology has been submitted to and approved in writing by the local planning authority. The CEMP shall include the following:
 - A review of any ecological impacts informed by the submitted ecological report Preliminary Ecological Appraisal, by BSG Ecology. Date: 22/02/2023.
 - Risk assessment of potentially damaging construction activities.
 - Identification of 'biodiversity protection zones'
 - A set of method statements outlining practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction.
 - The location and timings of sensitive works to avoid harm to biodiversity features.
 - The times during construction when specialist ecologists need to be present on site to oversee works.
 - Responsible persons and lines of communication.

- The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person

Development shall proceed in accordance with the approved CEMP, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure sensible working practices which protect ecology on and adjacent to this site in accordance with East Herts District Plan policy NE3.

Landscaping scheme

9. No development shall commence until a landscaping scheme has been submitted to, and approved in writing by, the local planning authority. The submitted scheme should be in accordance with the details illustrated on the Landscape Proposals Plan (Ref: 154011-PL-8100-G) and shall include detailed planting proposals, planting locations and dimensions, species, densities, sizes, mixes and protection for new planting areas, hard surfacing materials and a timetable for implementation. The landscaping of the site shall take place in accordance with the approved details and implementation programme. Any planting which within a period of five years of planting dies, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species.

Reason: In the interests of landscape impact and visual amenity and in accordance with East Herts District Plan policies DES2 and DES3

LEMP

10. No development shall commence until a landscape and ecological management plan (LEMP) has been submitted to, and approved in writing by, the local planning authority. The LEMP shall include:
- a) Description and evaluation of features to be managed;
 - b) Ecological trends and constraints on site that might influence management;
 - c) Proposals for ecological enhancements for habitats and species;
 - d) Aims and objectives of management;
 - e) Appropriate management options for achieving aims and objectives;
 - f) Prescriptions for management actions;
 - g) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);

- h) Details of the body or organisation responsible for the implementation of the plan;
- i) Ongoing monitoring and adaptive management measures; and
- j) Details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery

The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The Development shall be implemented in accordance with the approved details and the management prescriptions shall be implemented across the site for a period to be agreed in the LEMP.

Reason: to ensure appropriate management of the landscaping in the interests of ecological value in accordance with East Herts District Plan policy NE3.

Farmland Birds

11. Prior to commencement of development, a farmland bird management and monitoring plan shall be submitted to and approved in writing by the local planning Authority.

This must define target species and appropriate enhancement measures with boundary vegetation forming a critical part of these.

Management and monitoring of the buffer zones and hedgerows should be managed against specific criteria relating to nesting birds.

The development shall be carried out in accordance with the approved Farmland Bird Management and Monitoring Plan for the lifetime of the development.

Reason: To protect farmland birds in accordance with East Herts District Plan policy NE3.

Badger walk over

12. Prior to commencement of the development and including vegetation clearance, any excavation for the cable connection route or access arrangements, a badger walk-over survey of the site and 30m of

adjacent land (access permitting) shall be carried out by a suitably qualified and experienced ecologist to check for badger activity. If badgers will be impacted on by the development proposals, appropriate mitigation to safeguard them must be submitted to the Local Planning Authority for approval. A licence may be required from Natural England to proceed lawfully.

Reason: To ensure badgers are protected from harm during construction in accordance with national legislation and East Herts District Plan policy NE3..

Ecological Enhancements

13. Prior to the first use of the development, all on site ecology enhancements shall be implemented in accordance with those detailed in the Preliminary Ecological Appraisal report by BSG Ecology.

Management of the features shall be included in the LEMP required for submission by condition 10.

The measures shall be retained as approved thereafter.

Reason: In the interest of the ecological enhancement of the site and in accordance with East Herts District Plan policy NE3.

HMMP

14. The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), is submitted to and approved in writing by the Local Planning Authority. It shall be prepared in accordance with the approved Biodiversity Gain Plan and include:
- (a) a non-technical summary;
 - (b) the roles and responsibilities of the people or organisation(s) delivering the HMM.
 - (c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
 - (d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 40 years from the completion of development; and
 - (e) the monitoring methodology and frequency in respect of the created or enhanced habitat.
 - (f) details of any fees payable to the LPA to account for the 40 year monitoring period.

Notice in writing shall be given to the Council when the:

- (a) HMMP has been implemented; and
- (b) habitat creation and enhancement works as set out in the HMMP have been completed

The use shall not commence until:

- (a) the habitat creation and enhancement works set out in the approved HMMP have been completed; and
- (b) a completion report, evidencing the completed habitat enhancements, has been submitted to, and approved in writing by the Local Planning Authority.

The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP.

Monitoring reports shall be submitted to local planning authority in writing in accordance with the methodology and frequency specified in the approved HMMP.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and in accordance with East Herts District Plan policy NE3.

Archaeology

15. No development shall take place within the proposed development until the applicant, or their agents, or their successors in title, has secured the implementation of a programme of archaeological work and in accordance with a written scheme of investigation, which has been submitted to the planning authority and approved in writing. This shall include any archaeological mitigation strategy required in light of the trial trenching, to include mitigation of construction, operation and decommissioning impacts.

Reason: The programme is required to be undertaken prior to the commencement of the development to secure the protection of and proper provision for any archaeological remains in accordance with Policy HA3 of the East Herts District Plan and the National Planning Policy Framework.

16. Prior to first use of the development, details of the analysis, publication and dissemination of results, and archive deposition of the Mitigation Strategy shall be submitted to and approved in writing by the Local Planning Authority. The measures shall implemented as approved within 12 months of first use of the development.

Reason: To secure the protection of and proper provision for any archaeological remains in accordance with Policy HA3 of the East Herts District Plan and the National Planning Policy Framework.

Surface Water Drainage Details

17. Prior to commencement, in accordance with the submitted FRA (Flood Risk Assessment for the proposed development at Land to the West of Ware Park Farm, prepared by Enzygo, August 2023, REF SHF.3052.003.HY.R.001.A), detailed designs of a surface water drainage scheme incorporating the following measures shall be submitted to and agreed with the Local Planning Authority. The development shall not be brought into use until the approved scheme has been implemented. The scheme shall address the following matters:
- I. Detailed infiltration testing in accordance with BRE Digest 365 (or equivalent) along the length and proposed depth of the proposed infiltration feature/s

Or

 - II. If infiltration is proven to be unfavourable, then Greenfield runoff rates for the site shall be agreed with the Lead Local Flood Authority. The post development runoff rates will be attenuated to the equivalent Greenfield rate for all rainfall events up to and including the 1% Annual Exceedance Probability (AEP). The discharge location for surface water runoff will be confirmed to connect with the wider watercourse network.
 - III. Provision of surface water attenuation storage, sized and designed to accommodate the volume of water generated in all rainfall events up to and including the critical storm duration for the 3.33% AEP (1 in 30 year) and 1% AEP (1 in 100) rainfall events (both including allowances for climate change).
 - IV. Detailed designs, modelling calculations and plans of the of the drainage conveyance network in the:

- 3.33% AEP (1 in 30 year) critical rainfall event plus climate change to show no flooding outside the drainage features on any part of the site.
 - 1% AEP (1 in 100 year) critical rainfall plus climate change event to show, if any, the depth, volume and storage location of any flooding outside the drainage features, ensuring that flooding does not occur in any part of a building or any utility plant susceptible to water (e.g. pumping station or electricity substation) within the development. It will also show that no runoff during this event will leave the site uncontrolled.
- V. The design of the basin will incorporate an emergency spillway and any drainage structures include appropriate freeboard allowances. Plans to be submitted showing the routes for the management of exceedance surface water flow routes that minimise the risk to people and property during rainfall events in excess of 1% AEP (1 in 100) rainfall event plus climate change allowance.
- VI. Details of how all surface water management features to be designed in accordance with The SuDS Manual (CIRIA C753, 2015), including appropriate treatment stages for water quality prior to discharge.
- VII. A maintenance and management plan detailing the activities required and details of who will adopt and maintain the all the surface water drainage features for the lifetime of the development.

Reason: To prevent flooding in accordance with National Planning Policy Framework paragraphs 181,182 and 187 and the East Herts District Plan policy WAT5 by ensuring the satisfactory management of local sources of flooding surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and ensuring the SuDS proposed operates as designed for the lifetime of the development.

Surface Water Construction details

18. Prior to the commencement of development, construction drawings of the surface water drainage network, associated sustainable drainage components and flow control mechanisms and a construction method statement shall be submitted and agreed in writing by the local planning authority. The scheme shall then be constructed as per the agreed drawings, method statement, FRA and Drainage Strategy

(Flood Risk Assessment for the proposed development at Land to the West of Ware Park Farm, prepared by enzygo, August 2023, REF SHF.3052.003.HY.R.001.A) and remaining in perpetuity for the lifetime of the development unless agreed in writing by the Local Planning Authority. No alteration to the agreed drainage scheme shall occur without prior written approval from the Local Authority.

Reason: To ensure that the development achieves a high standard of sustainability and to comply with the NPPF and policy WAT5 of the District Plan.

Surface Water Scheme Verification

19. Prior to first use of the development, a detailed verification report, (appended with substantiating evidence demonstrating the approved construction details and specifications have been implemented in accordance with the surface water drainage scheme), has been submitted to and approved (in writing) by the Local Planning Authority. The verification report shall include a full set of “as built” drawings plus photographs of excavations (including soil profiles/horizons), any installation of any surface water drainage structures and control mechanisms.

Reason: To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with the NPPF and Policies WAT1, WAT3 and WAT5 of the District Plan (2018).

Ground / water contamination

20. The development hereby permitted shall not commence until a scheme to deal with contamination of land/ground gas/controlled waters has been submitted to and approved in writing by the local planning authority. The scheme shall include all the following measures, unless the local planning authority dispenses with any such requirement specifically in writing:
 1. A Phase II intrusive investigation report detailing all investigative works and sampling on site, together with the results of the analysis, undertaken in accordance with BS 10175:2011 Investigation of Potentially Contaminated Sites – Code of Practice. The report shall include a detailed quantitative human health and environmental risk assessment.

2. A remediation scheme detailing how the remediation will be undertaken, what methods will be used and what is to be achieved. A clear end point of the remediation shall be stated, and how this will be validated. Any ongoing monitoring shall also be determined.
3. 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.
4. A validation report detailing the proposed remediation works and quality assurance certificates to show that the works have been carried out in full accordance with the approved methodology shall be submitted to and approved by the Local Planning Authority prior to first use 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 to protect human health and the environment in accordance with policy EQ1 of the adopted East Herts District Plan 2018.

Contamination during development

21. If, during development, contamination not previously identified is found to be present at the site, then no further development shall be carried out until the following has been submitted to and approved in writing by the Local Planning Authority:

A Remediation Strategy/Report detailing how contamination will be dealt with. The remediation strategy shall be implemented as approved with a robust pre and post monitoring plan to determine its effectiveness.

Reason: To ensure that the development does not contribute to unacceptable concentrations of pollution posing a risk to public water supply from previously unidentified contamination sources at the development site and to prevent deterioration of groundwater and/or

surface water in accordance with policy EQ1 of the adopted East Herts District Plan.

Tree / shrub removal

22. Any significant tree/shrub works, or removal should be undertaken outside the nesting bird season (March to August inclusive) to protect breeding birds, their nests, eggs and young. If this is not practicable, a search of the area should be made no more than two days in advance of vegetation clearance by a competent Ecologist and if active nests are found, works should stop until the birds have left the nest.

Reason: To protect ecology on and adjacent to the site and in accordance with policy NE3 of the adopted East Herts District Plan 2018.

Trees and Hedgerows retained

23. 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.

External Lighting

24. With the exception of lighting required during the construction phase (which shall be managed through the CEMP – condition 8), no external

lighting shall be provided without the prior written permission of the Local Planning Authority.

Reason: In the interests of protecting against light pollution in accordance with Policy EQ3 of the East Herts District Plan.

Development to meet acoustic criteria

25. The development shall meet the following external acoustic criteria at any occupied premises used for residential purposes, determined by measurements, calculations and/or procedures agreed in writing by the local planning authority. Between the hours 23.00 and 07.00 at a position 1 metre from any façade, excluding corrections for facade reflection effects

- LAeq,15 minutes 35dB
- Noise Rating NR 40 over any 15-minute period

Within 4 months of the development being brought into operational use, compliance with the stated criteria shall be verified to the local planning authority in writing and compliance shall be maintained thereafter.

Reason: In order to safeguard the amenity of the surrounding area, including residential occupiers in accordance with East Herts District Plan policy EQ2.

Decommissioning (at the End of the Year Period) - Scheme of restoration

26. Eighteen months before the end of the 40-year period taken from the first use date submitted under condition 3, a scheme of restoration shall be submitted to and approved in writing by the local planning authority including:

A written scheme of restoration for returning the site to fields on cessation of the use of the solar farm and associated development at the site. The approved scheme of restoration shall be implemented and completed within 12 months of the end of the 40-year period taken from the date submitted under condition 3.

Reason: In order to safeguard the long-term appearance of the site and the surrounding area, in accordance with policies DES2 and DES4 of the East Herts District Plan.

Community fund

27. Prior to first use of the development hereby approved, details of how the Community Benefit Fund will be managed and administered for the lifetime of the development, will be submitted to and approved in writing by the Local Planning Authority. The fund will thereafter operate in accordance with the approved details.

Reason: To ensure the provision of appropriate community facilities in accordance with East Herts District Plan policy CFLR7

Approved Plans

Plan Ref	Version	Received
154011-PL-8100 Landscape Proposals Plan	G	22.1.25
GBR.0052.DEV.M2.001.0.J Solar Array Layout		1.7.25
501-FEC-GSK WARE-0007 Location Plan	2.0	15.7.24

Supporting Documents

Plan Ref	Version	Received
Design and Access Statement		8.7.24
Transport Statement Aug 24	4	22.8.24
154011/8001 Theoretical Zone of Influence	A	22.1.25
154011/8002 Key View A	A	22.1.25
154011/8003 Key View B	A	22.1.25
154011/8004 Key View C	A	22.1.25
154011/8005 Key View D	A	22.1.25
154011/8006 Key View E	A	22.1.25
154011/8007 Key View F	A	22.1.25
154011/8008 Key view location plan	A	22.1.25
154011/8009	B	22.1.25

Photomontage from location B 154011/8011	B	22.1.25
Photomontage from location D 154011/8012	B	14.7.25
Wider context illustrative montage		
154011/8013 Photomontage from location C Comparison	A	14.7.25
Agricultural land use assessment		8.7.24
Agricultural quality		8.7.24
Biodiversity statement		8.7.24
Equestrian needs assessment		8.7.24
Executive summary		8.7.24
Green belt – vsc		8.7.24
Historic listings		8.7.24
Noise technical note		8.7.24
Planning statement		8.7.24
PEA		8.7.24
Arb impact assessment and method statement		8.7.24
Arb survey		8.7.24
BNG Matirix		15.7.24
FRA		15.7.24
Phase 1 desk top study		15.7.24
LVIA drawing		24.7.24
Heritage Statement incl archaeology		28.8.24
Archaeology Geographical survey		28.8.24
Supplementary Highway information - response		1.11.24
Supplementary Ecology information - response		14.11.24
Draft CTMP		13.12.24
LVIA		22.1.25
Transformer noise supplement		2.4.25
GSK infographic		1.5.25
LVIA addendum		1.5.25
Planning balance document		1.5.25
Planning balance executive summary		1.5.25
BNG statement		1.7.25

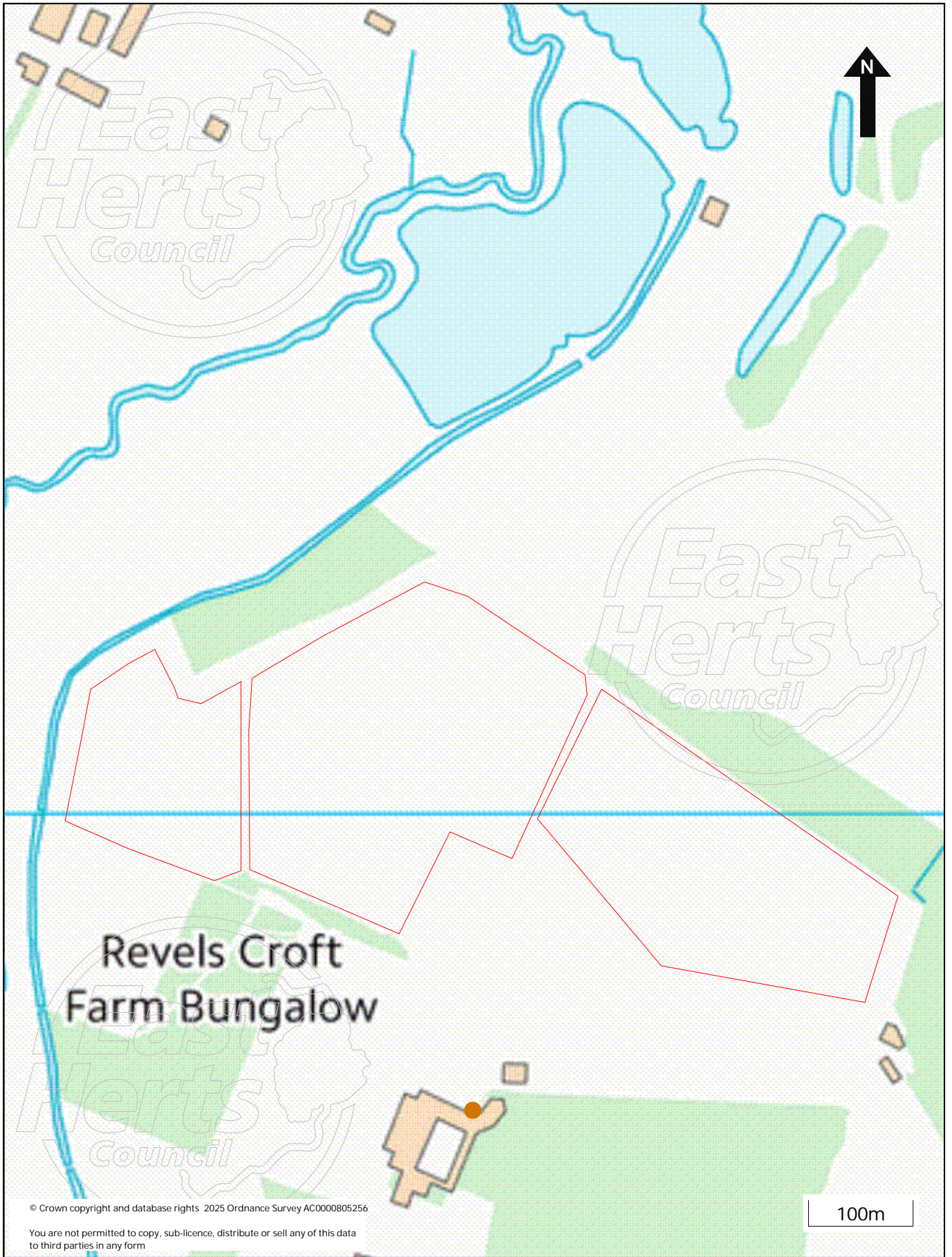
BNG metric		1.7.25
D1003 Draft Proposed passing places plan	A	22.8.24

Informatives

1. Other legislation
2. Archaeological interest
3. Public Rights of Way
4. No use of cranes or tall equipment
5. Bats
6. 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 website: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>
7. Obstruction of public highway land: 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 website: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>
8. Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and 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 are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

9. Construction Traffic Management Plan (CTMP): 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>



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100m

**Revels Croft
Farm Bungalow**



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

ADDRESS
**Land To The West Of Ware
Ware Park Farm
Ware
Hertfordshire
SG12 0DU**

PLAN TITLE	3/24/1275/FUL
PROJECT REF	For Development Management Committee
SITE AREA	15.27 ha
DATE OF PRINT	Thursday, 02 October 2025
SCALE	1:5000

Agenda Item 5b

DEVELOPMENT MANAGEMENT COMMITTEE – 15 OCTOBER 2025

Application Number	3/24/1707/FUL
Proposal	Construction of a building comprising commercial floorspace (Use Class E) and hotel accommodation (Use Class C1), improvements to the Bishop's Stortford transport interchange, and associated landscaping
Location	Goods Yard, Station Road, Bishop's Stortford, Hertfordshire, CM23 3BL
Parish	Bishop's Stortford
Ward	Bishop's Stortford Central

Date of Registration of Application	3/10/2024
Target Determination Date	15/10/2025 – <i>include an ETA date if applicable</i>
Reason for Committee Report	Major Application
Case Officer	Nikki Dawney

RECOMMENDATION

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

1.0 Summary of Proposal and Main Issues

1.1 This is a full planning application seeking planning permission for the construction of a 4 storey building comprising 522sqm of flexible commercial space (Use Class E) at ground floor and hotel accommodation, 92 rooms, (Use Class C1) on the upper floors, improvements to the Bishops Stortford transport interchange, and associated landscaping.

1.2 On May 21st 2025 Development Management Committee resolved to grant hybrid planning permission subject to a S106 legal agreement and conditions for the following development, which excluded the current proposal:

A hybrid planning application comprising a full application for residential dwellings (Use class C3), together with associated car parking, plant, sub-station, landscaping, public realm and infrastructure works, Outline application (with all matters reserved) for residential dwellings (Use class C2 / C3), commercial floorspace (Use class E) and car parking

facility, together with associated car parking, plant, landscaping, new public realm and infrastructure works. [For information: the full application is for 178 residential dwellings within buildings of up to 7 storeys. The outline application is for up to 245 residential dwellings (with no more than 173 C2 dwellings), up to 3,276sqm of commercial floorspace and a car parking facility of up to 565 parking spaces, all within buildings of up to 7 storeys]

- 1.3 The Council granted planning permission on the site in 2018 under reference 3/17/2588/OUT for the following development, which included the current proposal:

*A **hybrid planning application** for the comprehensive redevelopment of the 5.82 ha Goods Yard site for mixed use purposes comprising - 586 residential units (Use Class C3); 3,004sqm of office floorspace (Use Class B1); 1,001sqm of retail floorspace (Use Class A1-A4); 491sqm of dual / alternative use retail and health care floorspace (Use Classes A1-A4 / D1); 85 bed hotel (Use Class C1); a care home comprising up to 55 units (Use Class C2); a new link road through the site connecting Station Road /Dane Street with London Road; two multi-storey station car parks (966 spaces); new cycle parking; car parking for the residential development; **improvements to the Bishops Stortford transport interchange**; new and altered access points from the adopted highway network; and associated landscaping and public realm works. **The full application**; Development up to 6 storeys in height providing 323 residential units (139 x 1bed units, 175 x 2bed units, 8 x 3bed units and 1x4 bed units use class C3), 3004 sq m of office space (use class B1), 1001 sq m of retail floorspace (use classes A1-A4), 491 sqm of dual / alternative use retail and health floorspace (Use classes A1- A4/D1), **a 4 storey 85 bed hotel (use Class C1)**, a new link road through the site connecting Station Road/Dane Street with London Road, one 6 storey (401 space) multi storey station car park, new cycle parking, 153 car parking spaces for the residential development. The outline application (all matters reserved except for access) comprises: 263 residential units (Use Class C3); a care home comprising up to 55 units (Use Class C2); one multi-storey station car park; new cycle parking; car parking for the residential development; and associated landscaping and public realm works.*

- 1.4 In 2019, due to a change in the operator of the proposed hotel, design changes were sought to meet the new operators specific operational needs, the Council approved a non-material amendment (NMA) to planning permission 3/17/2588/OUT under reference 3/19/0367/NMA for the following alterations to the hotel only:

Internal and elevational alterations, together with the provision of a plant room at roof level.

- 1.5 Planning permission 3/17/2588/OUT has been implemented in part with the 6 storey flats at plot A built to the immediate north of Morton Peto Road, and the apartments constructed to the south of this at plot B which were completed last year. In total 323 dwellings are either occupied or capable of being occupied. Plot A has retail floorspace on the ground floor (some of which is now occupied by the Co Op, and plot B has approval for dual retail/healthcare floorspace on its ground floor. The link road (Sextons Road) between Station Road/Dane Street with London Road was built several years ago, (but is not yet open to through traffic), as was the multi storey car park at Anchor Street. Sextons Road as a through route will only be available in the future for sustainable modes of transport being buses, cyclists, and pedestrians. As part of the previous approval on the site a landscaped area with play equipment will be provided adjacent to the footbridge over the river Stort in the next few months.
- 1.6 The current application now seeks to bring forward the hotel, flexible commercial floorspace at ground floor, and associated improvements to the bus interchange as a standalone full application. These elements formed part of the earlier hybrid consent (ref: 3/17/2588/OUT) and subsequent NMA, but have not yet been implemented. This application therefore provides the opportunity to progress delivery of the hotel and bus interchange independently of the wider Goods Yard development, whilst remaining consistent with the established planning framework for the site.
- 1.7 The proposed 92 bedroom hotel occupies that same footprint as the previously approved hotel. At four storeys the height also remains the same as the approved scheme. However, alterations to the shading of brick work are proposed to soften the visual mass of the building. The upper levels of the south east corner of the building adjacent to Dane Street extend beyond the ground floor entrance providing shelter and serving as a focal point for the buildings entrance.
- 1.8 The ground floor includes 522sqm of flexible commercial space (Use Class E), the hotel reception, service area, plant room and staff changing rooms similar to the previously approved scheme.
- 1.9 Car parking provision for the hotel staff will be secured by condition for up to 70 overnight spaces within nearby public car parks, with cycle parking provided for staff within the multi-storey car park. Car parking

and cycle parking for guests is accessible within the wider development and car parks within Bishops Stortford town centre.

- 1.10 The proposed improvements to the bus interchange are broadly consistent with the scheme previously approved under outline permission 3/17/2588/OUT and are included within this application to avoid any overlap of planning consents. The only material change relates to the design of passenger shelters on the southern side of the facility. Whereas the extant permission envisaged undercroft shelters incorporated into the hotel building, this approach created construction complexities and compromised the building's internal layout. In light of these issues, and the increased reliance on mobile ticketing and app-based service information since the earlier approval, the revised scheme proposes standalone canopy shelters to provide passengers with a covered waiting area separate from the hotel building.
- 1.11 The proposed development will incorporate an energy strategy based on the "Be Lean, Be Clean, Be Green" hierarchy. Measures include energy efficiency improvements, the installation of air source heat pumps for heating and cooling, ASHP pre-heat for hot water, and a 20kW photovoltaic array to generate on-site renewable energy. Collectively, these measures will deliver a 42% reduction in carbon emissions and a 31% reduction in primary energy use compared with baseline standards.
- 1.12 The applicant has confirmed its intention that both the proposed hotel and the bus interchange are to be delivered concurrently. To provide certainty of delivery, the planning permission proposed would be structured on a phased basis, with the bus interchange forming one phase and the hotel forming a separate phase.
- 1.13 This approach would enable planning conditions to be discharged independently for each phase, thereby preventing delay to one element arising from issues associated solely with the other. A phasing plan has been prepared for this purpose and can be secured through condition. This would ensure that the bus interchange could still be implemented in the event of delay or non-delivery of the hotel.
- 1.14 Subject to the determination of this proposal by members, there remains sufficient time for delivery of the bus interchange by the current longstop date of December 2027.
- 1.15 Given the planning policy context for the site, which is set out later in this report, and having regard to the extent planning permission, the

principal of a hotel with ground floor commercial space and bus interchange has been firmly established.

1.16 Moreover, there are many similarities between the 2017 application, the 2019 non-material amendment and this application regarding the layout of the proposals and the overall approach to the development of the site. As such, the main determining issues for this application are as follows:

- Is there general compliance with the East Herts District Plan, Bishop's Stortford Neighbourhood Plan for All Saints, Central, South and part of Thorley 1st Revision (the NP), the Town Centre Planning Framework and the Refined Goods Yard Master Plan;
- Amount of development and mix of uses.
- The layout, scale, density, landscaping and design of the development and its impact on the character of the area.
- The impact on the occupiers of existing dwellings adjacent to the site.
- Highway safety and connectivity.
- Car and cycle parking.
- Flood Mitigation and Drainage.
- Other issues

2.0 Site Description

2.1 The application site forms part of the wider Bishop's Stortford Goods Yard development, situated adjacent to Bishop's Stortford Railway Station. The site is a parcel of cleared and levelled land, approximately 0.24 hectares, formerly used as surface-level car parking and sits alongside the existing bus interchange which remains operational.

2.2 The site is located within the northern part of the wider Goods Yard development area, bounded by Station Road to the north, Dane Street to the east, and Anchor Street to the west. The land is 'previously developed' as defined by the National Planning Policy Framework (NPPF) (2024).

2.3 By the part implementation of planning approval ref: 3/17/2588/OUT key elements of the wider Goods Yard development are already delivered include new roads, a multi-storey car park, and residential blocks, with further housing, commercial floorspace, and public open space at various stages of delivery. The construction of the flats at plots A and B, the land closest to the site, and the immediate area is gradually becoming predominately residential in use/character, with some commercial uses on the ground floor of these plots.

- 2.4 The wider area around the Goods Yard development, Bishops Stortford Town Centre, is mixed in character, incorporating residential development, leisure uses, commercial activity, and heritage assets, with the River Stort and railway line providing strong physical boundaries.
- 2.5 The land is located within Flood Zone 1 (lowest probability of flooding) and contains no statutorily or locally listed structures. However, it does sit adjacent to the Bishop's Stortford Conservation Area.

3.0 **Relevant Planning History**

The following planning history is of relevance to this proposal:

Application Number	Proposal	Decision	Date
3/22/1613/OUT	Hybrid planning permission sought for Full planning application for 178 residential dwellings car parking buildings of up to 7 storeys. Outline planning application (with all matters reserved) for up to 245 residential dwellings up to 3276m ² of commercial floor space 565 multi-storey car parking spaces (public and residential use) buildings of 4 - 7 storeys	Resolution for Approval subject to S.106 Planning Obligation	DMC 21.5.25
3/19/0367/OUT	Non-material amendment to planning permission 3/17/2588/OUT (for the comprehensive redevelopment of the Goods Yard site for mixed used development). The proposed alterations relate to the approved hotel only and include internal and elevational	Approved	10.6.19

3/17/2588/OUT	<p>alterations together with the provision of a plant room at roof level.</p> <p>Hybrid planning application for the comprehensive redevelopment of the 5.82 ha Goods Yard site for mixed use purposes comprising - 586 residential units (Use Class C3); 3,004sqm of office floorspace (Use Class B1); 1,001sqm of retail floorspace (Use Class A1-A4); 491sqm of dual / alternative use retail and health care floorspace (Use Classes A1-A4 / D1); 85 bed hotel (Use Class C1); a care home comprising up to 55 units (Use Class C2); a new link road through the site connecting Station Road /Dane Street with London Road; two multi-storey station car parks (966 spaces); new cycle parking; car parking for the residential development; improvements to the Bishops Stortford transport interchange; new and altered access points from the adopted highway network; and associated landscaping and public realm works. The full application; Development up to 6 storeys in height providing 323 residential</p>	Approved subject to S.106 Planning Obligation	18.7.18
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	<p>units (139 x 1bed units, 175 x 2bed units, 8 x 3bed units and 1x4 bed units use class C3), 3004 sq m of office space (use class B1), 1001 sq m of retail floorspace (use classes A1-A4), 491 sqm of dual / alternative use retail and health floorspace (Use classes A1- A4/D1), a 4 storey 85 bed hotel (use Class C1), a new link road through the site connecting Station Road/Dane Street with London Road, one 6 storey (401 space) multi storey station car park, new cycle parking, 153 car parking spaces for the residential development. The outline application (all matters reserved except for access) comprises: 263 residential units (Use Class C3); a care home comprising up to 55 units (Use Class C2); one multi-storey station car park; new cycle parking; car parking for the residential development; and associated landscaping and public realm works.</p>		
3/16/0530/OUT	<p>A hybrid planning application for the comprehensive redevelopment of the 5.82 ha Goods Yard site for mixed use purposes comprising: up to 680 residential units (Use</p>	Refused Appeal Withdrawn	17.05.17

	<p>Class C3), 938 sqm of retail floorspace (Use Class A1 / A3), 3,045 sqm of hotel floorspace (Use Class C1), two multi-storey car parks, car parking spaces for the residential development; and, associated highways and landscaping works. All as amended by plans and documents received on 22 September 2016 and 31 March 2017. The full application for Phase 1 (1.62ha) comprises: 122 residential units (Use Class C3), 938 sqm of retail floorspace (Use Class A1 / A3), 3,045 sqm of hotel floorspace (80 bedrooms and a restaurant) (Class C1); and a multi-storey car park (477 spaces) All in buildings of between four and six storeys in height; and a re-configured transport interchange (including bus stops, taxi rank and drop-off), provision of a new public square, cycle parking facilities, surface car parking, service yard, vehicular and pedestrian access arrangements from Anchor Street, Station Road and London Road; and associated landscaping, plant and servicing. The outline planning application for Phases 2-4 (4.2ha including 2.02ha at the</p>		
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	southern end of the Goods Yard currently in operational use) comprises: up to 558 residential units (Use Class C3); and a multi-storey car park (489 spaces). All in buildings of between three and seven storeys in height; provision of open space, new vehicular and pedestrian access arrangements, cycle parking facilities, surface car parking; and associated landscaping, plant and servicing.		
3/16/0707/FUL	Construction of temporary surface level car park	Approved	15.09.17
3/13/0270/FP	Use of the former Goods yard as a temporary car park	Approved	18.04.13
3/02/2091/OP	Outline application for a new link road connecting Station Road and Dane Street with London Road; public transport interchange (including facilities for buses, taxis and short stay parking); station facilities; multistorey car park; up to 402 residential units; food store; shop units (classes A1 – A3); 60 bedroom hotel; public parking up to 372 spaces; ancillary facilities and landscaping	Withdrawn	20.10.13

- 4.1 The main policy issues relate to the relevant policies in the National Planning Policy Framework (NPPF), the adopted East Herts District Plan 2018 (DP), the adopted Bishops Stortford Town Council Neighbourhood Plan for All Saints, Central, South and part of Thorley 1st Revision Neighbourhood Plan (NP).

Main Issue	NPPF (para.)	East Herts District Plan 2018	Bishops Stortford Town Council Neighbourhood Plan for All Saints, Central, South and part of Thorley 1st Revision
Is there general compliance with the East Herts District Plan, Bishop's Stortford Neighbourhood Plan for All Saints, Central, South and part of Thorley 1 st Revision (the NP), the Town Centre Planning Framework and the Town Centre Planning Framework and the Refined Goods Yard Master Plan;	7 – 14,48, 61,121, 122	DEL1 BISH1 BISH2 BISH7 BISH12	HDP1 GY1 GY2 GY3 GY4 GY5 GY6
Amount of development and mix of uses	72,77 85,86, 90,124, 125, 129	DPS2 BISH7 BISH12	GY2
The layout, scale, density, landscaping and design of the development and its impact on the character of the area;	131, 132, 135-141	BISH7 BISH12 DES2 DES3 DES4 CFLR9 HA1 HA3 HA4	GY1 GIP3 HDP2 HDP3

Highway safety and connectivity;	109-111, 115-118	BISH2 BISH7 TRA1 TRA2	GY3 GY4 GY6 TP1 TP2 TP3 TP4 TP5 TP11 TP12
Car and cycle parking;	112, 113	TRA3	GY5 TP7 TP8
Flood Mitigation;	161, 163, 164, 170, 171, 172, 173, 175, 177-182	WAT1, WAT3 WAT4	GY1 GIP8
The impact on the occupiers of existing dwellings adjacent to the site;	135	DES4	HDP1
The standard of amenities for future occupiers of the development including issues relating to noise and air quality	135, 191 - 192	DES4 EQ1 EQ2 EQ4	HDP1
Climate Change	130,	CC1 CC2	HDP4

Summary of Consultee Responses

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

4.2 HCC Highway Authority

Hertfordshire County Council, as Highway Authority, raises no objection to the proposal subject to conditions. The Authority highlights that obligations secured under the extant outline consent 3/17/2588/OUT remain applicable, particularly regarding the delivery of the bus interchange and enforcement of condition 56 of that permission should the hotel not come forward.

The amendments proposed, including an increase in hotel bedrooms, flexible commercial space at ground floor and revised bus shelter arrangements, are acceptable in principle. However, the Authority notes

with concern the further delay to delivery of the interchange, now expected in 2027, which is contrary to sustainable transport objectives.

Conditions are recommended to secure real-time information displays at bus shelters, appropriate servicing and waste management arrangements, secure staff cycle parking and a Construction Management Plan.

- 4.3 Lead Local Flood Authority (Advice Provided by WSP plc)
Have no objection subject to conditions listed at the end of this report. Since the LLFA issued statutory consultation responses on the 5th November 2024 and 6th August 2025 that raised objections relating to an insufficient Flood Risk Assessment (FRA) and Drainage Strategy which appeared to increase flood risk elsewhere in the wider site, the applicant has provided amended flood risk and drainage information to address these concerns. In response, on the 5th September 2025, the LLFA commented that, considering that the size, type and location of the development, the details are now sufficient and in accordance with NPPF, PPG and Local policies subject to conditions list at the end of this report which have been drafted to ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each and not increased in accordance with NPPF.
- 4.4 Environment Agency
No comments received.
- 4.5 Thames Water
Raise no objection subject to conditions and informatives listed at the end of this report relating to ground discharge into the public sewer, oil interceptors, wayleaves and easements, Piling Method Statement and Layout Plan mapping Thames Water assets. In addition, no objection is raised to foul water sewerage network infrastructure capacity and surface water discharge.
- 4.6 Affinity Water
Raised an objection in October 2024 which required an intrusive ground investigation for their review. In December 2024, Affinity Water removed the objection subject to re-consultation should the drainage design change significantly or if contamination is discovered during the development.
- 4.7 EHDC Conservation and Urban Design Advisor
Raise no objection subject to conditions listed at the end of this report. Since initial concerns raised on the 12th November 2024 regarding the

depth of window reveals which are a key feature adding interest to the facades of the building, layering of window spandrel panels and the location of cycle storage space for staff, additional information has been provided to address these concerns to the satisfaction of Officers and in accordance with NPPF and Local policies subject to conditions which have been drafted to ensure that the development achieves a high standard of design.

4.8 Herts Ecology

Following consultation in November 2024 and April 2025 concerns are raised regarding the ability of the applicant to meet the general BNG condition but acknowledge that this should not be a reason for refusal as it can be demonstrated at the post determination biodiversity gain plan stage.

4.9 EHDC Environmental Health Officers
Noise and Light

Having reviewed the submitted application including the acoustic report by Wardall Armstrong dated April 24 providing all recommendations and mitigations proposed are fully implemented, no objection is raised. As such, a condition is listed at the end of this report.

Contamination

Having reviewed the documents submitted, it will be necessary for the applicant to demonstrate that the potential for ground contamination to be present has been appropriately addressed. Conditions relating to investigative works, a remediation scheme if works contamination and a subsequent validation report for remediation (if necessary) are listed at the end of this report.

4.10 Fire Hydrants

No comments received.

4.11 HCC Historic Environment Advisor

Hertfordshire County Council's Historic Environment Service notes that the site lies within an Area of Archaeological Significance and has potential for important archaeological and palaeoenvironmental remains from prehistoric through to historic periods. Although parts of the wider Goods Yard have been investigated, this specific site has not, and trial trenching remains outstanding.

It is therefore advised that any planning permission be subject to a condition (listed at the end of this report) requiring archaeological evaluation of the site, with appropriate mitigation measures as necessary, including preservation, excavation, monitoring and

reporting. This approach is considered proportionate and consistent with national policy and guidance.

4.12 EHDC Waste and Recycling

Following the submission of additional information regarding pulling distances, waste lorry measurements and an updated Refuse Swept Path Plan no objection is raised subject to further detail secured via a condition listed below for a service deliveries and waste management plan to be submitted to and approved by the local authority in consultation with EHDC Waste Services and HCC Highways Authority.

4.13 Canal and River Trust

No objection. The Canal and River Trust, as statutory consultee, notes that the site lies some distance from the River Stort Navigation and that direct impacts on the waterway corridor are likely to be limited. However, concern arises in relation to surface water drainage, with the applicant indicating that discharge to the Navigation is under discussion with the Environment Agency and the Trust. The Trust stresses that such discharges are not permitted as of right, and any consent would be subject to a separate commercial agreement and compliance with their Code of Practice.

Accordingly, the Trust advises that planning conditions are required to secure detailed drainage design, mitigation measures, and ongoing monitoring to ensure that any discharge does not compromise water quality or the structural integrity of the Navigation. The Trust should be reconsulted on detailed proposals, consistent with the approach taken to the wider Goods Yard redevelopment.

4.14 EHDC Sustainability Officer

No objection. The information submitted relating to BNG, cycle storage, sustainable travel plan and emissions mitigation are useful to demonstrate how they will pursue sustainable travel measures and in respect of mitigation. Is satisfactory subject to conditions listed at the end of this report.

4.15 S106 Programme Manager

Having reviewed the submission EHDC will not be seeking any Section 106 financial contributions from this development as per the October 2008 Planning Obligations SPD and the May 2020 Open Space and Recreation SPD.

4.16 Economic Development Officer

No comment.

5.0 Town/Parish Council Representations

Bishops Stortford Town Council – The Committee object to this application on the following grounds:

- The Committee's previously comments from the meeting of 14th October 2024 have not been addressed by the developer.
- The Bus Transport Interchange is too narrow and small with only four bays and does not encourage people to use public transport. More bays are required as well as spaces for a taxi rank.
- Can the side elevation of the hotel have some extra design aspects such a mural or windows?
- There are no designated drop-off areas at the hotel considering that all guest parking will be offsite.
- Affinity Water object to this application due to the close proximity of the development to our abstraction for public water supply and require an intrusive ground investigation to review. The mitigation measures must be known to minimise pollutants in the water supply.

6.0 Summary of Other Representations

- 6.1 An objection has been received on behalf of Silver Spoon Company operators of Allison Flour Mill (the Mill) in relation to the impact of noise from the Mill on the proposed hotel use. Where mitigation is necessary such as fixed shut windows, it is suggested that these are secured by way of enforceable conditions. Concerns are raised regarding the prejudicial impact arising from the proposed hotel development on the longstanding Mill operation in respect of noise.
- 6.2 An objection has been received raising concern that the proposed development leaves inadequate provision for bus services, with only four bays indicated, which is considered insufficient for a town of Bishop's Stortford's size and transport role. It is argued that the scheme does not provide for growth in public transport use and will therefore fail to address existing issues of traffic congestion. Comparisons are drawn with towns such as Hertford and Harlow, which have larger, more functional bus stations.

Two alternative approaches are suggested: first, relocating the bus interchange to a larger site closer to the railway station; second, retaining the interchange in its proposed location but maximising the land for public transport facilities by relocating the hotel to an alternative site, such as the former cinema.

6.3 Other Comments

North East Herts Swift Group

Neither object nor support the proposal but request a condition for 12 swift bricks to be incorporated in the interest of biodiversity. In response a proportionate condition is listed at the end of this report.

7.0 **Consideration of Issues**

Introduction

7.1 All of the policy documents mentioned previously underpin and support the development of the site for a bus interchange and commercial development on this previously developed land. It is necessary for the Council to judge to what extent this current application complies with the above documents and the remainder of the District Plan, NP, NPPF, and approved Refined Masterplan for the site.

Is there general Compliance with the East Herts District Plan, Bishop's Stortford Neighbourhood Plan for All Saints, Central, South and part of Thorley 1st Revision (the NP), the Town Centre Planning Framework and the Refined Goods Yard Master Plan;

7.2 Policy BISH7 allocates the site for around 600 dwellings as part of a mixed-use development including a significant amount of B1a (now Class E) office floorspace and small-scale retail provision and other community and leisure uses.

7.3 The Neighbourhood Plan (NP) for Bishop' Stortford (All Saints, Central, South) and part of Thorley (1st Revision) 2021 – 2033 was adopted in July 2022 and is therefore part of the Development Plan for the area. Policy GY2 sets out that the site should have residential provision for around 600 dwellings, built to a high standard with easy access for all, dwellings sited away from the railway line and any busy vehicle access points allowing for suitable noise and air pollution mitigation, and shop premises aimed at secondary shop front uses. Part b) sets out, in part, that schemes will be supported that include a hotel, located close to the transport interchange.

7.4 The NP outlines a number of objectives for the site, and these are to:

- Create a welcoming and pleasant public realm, enhancing the river environment,
- Provide a transport interchange to promote better connections between all means of transport,

- Improve vehicle access routes to the site and connections with the rest of the town,
- Provide sufficient car and cycle parking for users,
- Provide easy and safe pedestrian and cycle links to and from the site.

- 7.5 In 2016 the Council commissioned the preparation of a Planning Framework for Bishop's Stortford Town Centre. The Bishop's Stortford Town Centre Planning Framework (the Planning Framework) seeks to support the continued economic health and vitality of the Town Centre and guide future planning and redevelopment of this area of Bishop's Stortford as part of a range of overall planning approaches to Bishop's Stortford Town Centre. The Planning Framework was approved by the Council for development management purposes on 18 July 2017.
- 7.6 The Planning Framework identifies several constraints and opportunities for the Goods Yard. In terms of the principles of development, the Planning Framework outlines the potential for a new north-south route through the site, either for sustainable modes or for all vehicles. It also suggests two multi storey car parks – one screening the rail line and the other close to Anchor Street, to serve the town centre. There would be an expectation that offices, hotels and other commercial uses would be delivered around the station, with residential development closer to the river.
- 7.7 On the 8th February 2022 the Council agreed a Refined Masterplan (RM) for the site as a material consideration for development management purposes. This follows on from the earlier masterplan for the goods yard adopted by the Council in 2017 and was progressed to reflect the reduced site area for the development. The RM includes the delivery of up to 743 dwellings for the entire Goods Yard site, along with commercial floorspace, car parking, hotel, improvements to Bishop's Stortford Transport Interchange, and public realm works.
- 7.8 It is also necessary to assess the proposal against the key aims of the NPPF which are to promote the re-development of previously developed land in sustainable locations, which is very much the case with this application.
- 7.9 Drawing all the policy context for the site together, it is clear there is strong planning policy support for the redevelopment of the site, which has been established over several years. Also, bearing in mind the broad similarities between the approved scheme ref: 3/17/2588/OUT and this current proposal, it is considered there is general compliance with the above policy documents.

Amount of Development and Mix of Uses Proposed

- 7.10 The application proposes a four-storey building accommodating 522sqm of flexible commercial floorspace (Use Class E) at ground floor level, together with a 92-bedroom hotel. The hotel will be accessed via the ground floor, with guest rooms located at first, second, and third floors.
- 7.11 The flexible commercial floor space (Use Class E) is capable of being occupied by the following uses:
- Display or retail sale of goods, other than hot food, principally to visiting members of the public
 - Sale of food and drink principally to visiting members of the public where consumption is mostly on the premises
 - Financial services
 - Professional services (other than health or medical services)
 - Any other service appropriate to provide in a commercial business or service locality
 - Indoor sport, recreation or fitness
 - Medical or health services
 - Crèche, day nursery or day centre
 - Office to carry out any operational or administrative functions
 - Research and development
 - Any industrial process which can be carried out in a residential area without detriment to the amenity of that area
- 7.12 The flexibility within this use class makes it easier to adapt to changing market demands and keep the commercial area of the wider development vibrant and versatile. The quantum of Class E floorspace has been limited to ensure servicing arrangements are acceptable in highways terms. The nature of the floor space is compliant with The Planning Framework. Conditions are recommended to secure appropriate management of the floorspace, including a marketing strategy and the withdrawal of permitted development rights to prevent change to alternative uses without further planning consent.
- 7.13 While the lobby, communal workspace and breakfast area are located at ground floor, the hotel reception and staff areas are provided at first floor, together with a proportion of guest bedrooms. Further guest accommodation is provided at second and third floors. The proposed hotel rooms would be of good quality, benefiting from natural light, outlook, and ventilation. At least 5% of rooms would be wheelchair accessible, and all shared amenities would meet accessibility

standards. Conditions are recommended to secure the accessibility provision and limit guest or customer use for a period no longer than ninety days (90) in any continuous period of six months.

- 7.14 The proposal also includes the redevelopment of the existing bus interchange adjacent to the northern elevation of the building, fronting Station Road. The current interchange comprises three bus stands. The new layout will provide four bus stops with shelters, two digital displays, improved lighting, and a central pedestrian island. This will modernise the interchange and increase the bay provisions from 3 to 4 to the maximum capacity of the site, enhancing its function as a key transport hub.
- 7.15 This application would replace the outline element of 3/17/2588/OUT and subsequent NMA and separate the bus interchange from the hotel by replacing the previously envisaged undercroft shelters attached to the hotel with stand alone shelters. This alteration would ensure that the hotel and bus interchange can be delivered independently through phased development which would be secured by condition.
- 7.16 The wider outline approval (ref: 3/17/2588/OUT) proposed 3,004sqm of B1 office accommodation across Plots A6 and A7. Within that scheme, the majority of flexible Class E floorspace was located at Plot A6 fronting Station Road, with 270sqm of flexible floorspace in Plot A7 fronting Station Square. The current proposal, in combination with the earlier approval, would continue to deliver a vibrant mixed-use scheme with a range of town centre uses.
- 7.17 Policy BISH7 of the District Plan allocates the site for a mixed-use development, including around 600 homes, alongside retail, service, food outlets, office floorspace, a medical centre, hotel, and public conveniences. The Refined Masterplan and the Neighbourhood Plan (policy GY2) also support this balance of uses. The Town Centre Planning Framework similarly envisages a mix of residential, office, and hotel accommodation.
- 7.18 Given this policy context, the proposed hotel, commercial floorspace, and bus interchange are considered acceptable in terms of amount and mix of uses. The scheme would contribute positively to the delivery of a sustainable and balanced town centre, consistent with both the outline approval and adopted policy.

The layout, scale, density, landscaping and design of the development and its impact on the character of the area;

- 7.19 In considering the design and layout proposed for this application, it is necessary to have further regard to planning ref: 3/17/2588/OUT approved by the Council in 2018 and hybrid planning application 3/22/1613/OUT presented to Development Management Committee on the 21st May 2025 as both submissions established acceptable principles for the design and scale of development for the site.
- 7.20 The allocation policy for the site BISH7 requires a high-quality design, with varying character and style across the site. Policy DES4 in the District Plan requires all development proposals to be a high standard of design, making the best use of the available land by respecting or improving upon the character of the site and surrounding area. Policy GY2 in the NP meanwhile requires an attractive and welcoming appearance to those arriving in the town by train, and development of a high quality that demonstrate an understanding of local history. People friendly features within the built environment such as seats, tree and shrub planting should be part of any scheme.
- 7.21 The Refined Masterplan for the site which was endorsed by the Council for development management purposes in 2022 and is an important document which amongst other things sets out that buildings on the site will be between 4 – 7 storeys in height, and this factor is a material consideration in the determination of the application.
- 7.22 In terms of the impact on designated heritage assets, the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Council to pay special attention to the desirability of preserving or enhancing the character and appearance of Conservation Areas. Where a proposal would result in less than substantial harm to a designated heritage asset, the NPPF requires the harm to be weighed against the public benefits of the proposal.
- 7.23 Policy HA4 in the District Plan states that new development will be permitted provided it preserves or enhances the special interest, character and appearance of Conservation Areas.
- 7.24 Policy HDP2 in the NP requires all proposals in, and adjacent to Conservation Areas to demonstrate that the significance of the historic setting has been considered and factored into the design.
- 7.25 The hotel would be a 4 storey building on the northern edge of the wider development site, opposite the Bishop's Stortford Conservation Area to the north. To the south, the building lines up with a new pedestrian route between the station and car park, while the eastern frontage opens onto the new Station Square. This gives the building a

clear role as one of the main gateways into the wider development. The ground floor commercial space would have large glazed shopfront style windows facing Station Road and the interchange, as well as a reception lobby visible from the station approach.

- 7.26 The height and bulk of the building have been marginally adjusted compared with the earlier approved design. The roof has been simplified and the top floor is stepped back slightly so the building does not appear too heavy. The overall height, at 4 storeys, fits neatly between the 2-storey historic station building and the taller new homes in the wider Goods Yard development, which reach 5/6 storeys. Nearby commercial buildings next to the railway are 3/4 storeys, so the hotel provides a middle ground between these different scales. This helps the new building sit comfortably in its surroundings and avoids an abrupt change in height.
- 7.27 In terms of appearance, the design is straightforward but includes details that break up the mass of the building and add interest. Darker brick is used at the lower levels to give a solid base, with lighter brick above to make the upper floors appear less dominant. Regular window openings and brick piers give rhythm to the façade, and distinctive window surrounds at the top floor add character. Plant equipment and solar panels will be placed on the flat roof and kept out of sight as far as possible. In response to the Council's Conservation and Urban Design Officer comments in November 2024 the applicant has provided additional drawings which show the depth of window reveals layering of window spandrel panels which are a key feature adding interest to the facade of the building.
- 7.28 With regard to the Bishop's Stortford Conservation Area to the north of the site, the Council's Conservation Officer has confirmed that there are no objections in principle. Subject to the use of suitable detailed design and materials, the proposal would have a neutral impact on the setting of the Conservation Area when compared with the previously approved scheme.
- 7.29 Planning policy HA3 states that where a site has the potential to include heritage assets with archaeological interest applicants should consult Hertfordshire County Council's Historic Environment Service to submit an appropriate desk based assessment. The site lies within an Area of Archaeological Significance and has potential for important archaeological and palaeoenvironmental remains from prehistoric through to historic periods. Although parts of the wider Goods Yard have been investigated, this specific site has not, and trial trenching remains outstanding.

- 7.30 As such, a planning condition is listed at the end of this report requiring archaeological evaluation of the site, with appropriate mitigation measures as necessary, including preservation, excavation, monitoring and reporting. This approach is considered proportionate and consistent with national policy and guidance.
- 7.31 Taken together, the proposed elements represent an appropriate form of development within their context. It is therefore considered to comply with both national and local planning policies relating to the protection of designated heritage assets.
- 7.32 Having regard to extant permission and the subsequent NMA approved on the site, it is considered that the proposals represent a scale, modern appearance and layout which is appropriate for this highly sustainable urban site. The building would make a positive impact in terms of design and streetscape. The building would be distinctive and add to the varied architecture in the locality.
- 7.33 The improvements to the limited area of public realm follow the principles and details approved under the extant permission. The area around the Hotel and bus interchange will be revamped with new hard landscaping in the form of paving and edging and benefit from the soft landscaping features that have been delivered and continue to be delivered as part of phase 1 of the wider development.
- 7.34 It is considered that the proposal maximises the opportunities within the constraints of the site to meet the various policy requirements.

Impact on the occupiers of existing dwellings adjacent to the site

- 7.35 Policy DES4 of the District Plan stipulates that any proposed 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.
- 7.36 The nearest residential properties to the site are the recently constructed flats within Block A, located immediately to the south. The proposed development would alter the outlook from the bedrooms of six of these flats at second, third and fourth floor levels, with the existing longer-range views to the north being removed as a result. Whilst this change is acknowledged, it is material to consider that planning permission has previously been granted for a hotel of a similar scale on this site, establishing the principle of development and the anticipated

built form in this location. Officers consider the previous approval for the hotel should be afforded significant weight in the overall consideration of the current application due to the similar scale, form and siting and due to the policy framework remaining consistent.

- 7.37 The site forms part of a wider development with a dense urban context, where spatial relationships between buildings are necessarily closer than in suburban environments. In this setting, some reduction in outlook and sense of openness is to be expected. Having regard to the separation distances involved, together with the established consent for a hotel of comparable height and footprint, it is not considered that the proposal would result in an unacceptable impact on the amenities of the Block A flats in terms of outlook, privacy, light or overbearing effect.
- 7.38 On this basis, the proposal is judged to accord with Policy DES4 of the District Plan, and the impact on neighbouring amenity is considered to be acceptable.

Highway safety and Connectivity

- 7.39 At its heart the NPPF establishes a presumption in favour of sustainable development. It sets out that significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion, emissions, improve air quality and public health. Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 7.40 Policy TRA1 in the District Plan seeks the promotion of sustainable transport by focussing development to locations which enable sustainable journeys to be made to key services to help aid carbon emission reduction. This goal will be achieved by ensuring a range of transport options are available to occupants, which may involve the improvement of pedestrian links, cycle paths, and passenger transport networks (including bus and/or rail services).
- 7.41 Furthermore, 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 highways 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.

- 7.42 In the NP, policy GY1 requires shared space between pedestrians, cyclists and motorists, where appropriate with traffic calming. GY4 covers the issue of vehicle connections to and from the site
- 7.43 Policy GY3 sets out detailed requirements in relation to the transport interchange. The policy expects that an independent assessment taking into account additional use that having planning approval, are under planning application, are likely delivered within the lifetime of the EHDC District Plan. The transport interchange must be close to the train station with easy movement between different modes of transport, be well lit, provide waterproof waiting areas, use intelligent transport systems, with good signage, a dedicated taxi rank, cycle parking/storage and a drop off pick up point.
- 7.44 In accordance with planning policy a Transport Assessment has been prepared by Mayer Brown and submitted for consideration. Key aspects are discussed as follows:

Trip generation and Highway Impact

- 7.45 The Transport Statement confirms that the hotel use would result in only a minor increase in vehicle movements compared with the extant permission. The TRICS-based assessment indicates an increase of one additional two-way trip in the AM peak (25 total) and three additional two-way trips in the PM peak (21 total). These flows are considered negligible and within acceptable limits. The commercial space would operate as car-free, consistent with the wider development and would not materially affect the highway network. The Highway Authority raise no objection in this regard.

Servicing and deliveries

- 7.46 Servicing for the hotel is expected to comprise 13 deliveries per week, including laundry, catering, beverages and refuse collection, all from the Sextons Road layby using vehicles no larger than 18-tonne rigid lorries. Swept path analysis demonstrates this can be accommodated. A Servicing, Deliveries and Waste Management Plan is required by condition to manage these activities and to confirm arrangements for the commercial unit, where the end user is not yet known.

Car and cycle parking

- 7.47 The Updated Vehicle Parking Standards require 1 space per bedroom, plus additional spaces for staff and dining/ancillary areas, which would

exceed the 70 spaces proposed. However, the site benefits from its highly accessible location adjacent to the railway station, bus services and town centre. The Council (as land owners) has agreed to allocate up to 60 spaces per night for hotel guests in the Council owned Jackson Square car park and a further 10 spaces in Crown Terrace car park. The commercial element will be car-free. The Highway Authority and officers consider this approach appropriate given the sustainable location, supported by sufficient cycle facilities and public transport connectivity.

- 7.48 Council standards require 1 long-stay cycle space per 10 hotel bedrooms, plus staff provision, and 1 long-stay space per 10 staff for business use. Ample cycle parking is available within the station and adjacent multi-storey car park. While on-site provision for hotel staff was considered, this would have reduced the viability of the commercial floorspace. On this basis, provision within the wider Goods Yard development is considered acceptable, subject to a condition requiring a cycle parking management scheme to secure safe, covered and accessible spaces for both staff and visitors.

Bus Interchange

- 7.49 Hertfordshire County Council, Highways Authority have acknowledged that the bus interchange already benefits from consent under the requirements of condition 56 of outline consent ref: 3/17/2588/OUT which are:

Prior to the commencement of the development, details of Bus Infrastructure Provision shall be submitted to and approved in writing by the Local Planning Authority. Those details shall include:

- a) *The future locations of all bus stops within the site (including within the Bus Station) which shall be identified on a plan or plans as appropriate;*
- b) *Details of the timing of provision;*
- c) *Details of the design of the bus stops including kerb heights, shelters and real-time information provision.*

Once approved, the locations of all bus stops shall be clearly marked on the site in accordance with the approved timing to ensure visibility for prospective purchasers. All other infrastructure shall be provided in accordance with the approved details.

Reason: *To ensure proper management of the revised layout in the interests of highway safety and efficiency, to ensure visibility for prospective purchasers and to encourage the use of sustainable*

transport modes in accordance with policy TRA1 of the East Herts District Plan 2018

- 7.50 It must be noted that, if this application for determination is not approved, the transport interchange should still be delivered via the discharge of this condition. A longstop lease arrangement has been finalised with a construction deadline of December 2027. Although disappointed that construction is now delayed until 2027, HCC are satisfied that delivery can still be secured.
- 7.51 The transport interchange is within walking distance from the train station, onward bus stops and a taxi rank. As a result, the site is well connected to alternative modes of transport. Amendments have been made to the extant permission in that waterproof standalone shelters are provided rather than undercroft shelters beneath the hotel. A good level of lighting and digital real time information system is proposed and will be secured by condition.
- 7.52 A Construction Management Plan will be secured by condition to manage construction vehicle movements, site access and temporary arrangements, protecting highway safety and amenity. A Travel Plan will also be required, with a £6,000 monitoring fee, to promote active and sustainable travel for staff and visitors also secured by condition.
- 7.53 Overall, Subject to conditions securing the matters outlined above, the Highway Authority raises no objection. The proposals would not result in any unacceptable impact on highway safety or network capacity, and would support sustainable modes of transport in accordance with the NPPF, the East Herts District Plan policies.

Flood Mitigation and Drainage

- 7.54 The NPPF sets out that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. If development is necessary, it should be made safe, ensuring that flood risk elsewhere is not increased. Relevant Local Plan policies follow this approach.
- 7.55 District Plan policy WAT1 sets out that development in flood risk areas should neither increase the likelihood or intensity of any form of flooding, nor increase the risk to people, property, crops or livestock from such events. Development should also take into account the effects of climate change. Policy WAT5 in the District Plan and HDP3 in the NP requires development to utilise the most sustainable forms of drainage system in accordance with the SuDS hierarchy, unless there

are practical engineering reasons for not doing so. Policy GIP8 relates to development in flood risk zones.

- 7.56 A Flood Risk Assessment has been submitted with the application. This confirms that the site is located within Flood Zone 1 and is therefore at low risk of flooding from surface water, groundwater, reservoirs, or infrastructure failure. A supporting Sustainable Drainage Report prepared by Elliott Wood sets out the strategy for managing surface water. The approach is to connect the development into the wider surface water drainage network already delivered as part of the Bishop's Stortford Goods Yard scheme.
- 7.57 Surface water will be managed through the use of underground geocellular attenuation tanks. Discharge from the site and adjoining developments will be restricted under both the interim and permanent arrangements. At present, drainage occurs via the existing inverted siphon to the south. In the permanent case, subject to agreement with the Canal and River Trust and the Environment Agency, a new outfall to the River Stort will be provided, with flows restricted to an agreed rate.
- 7.58 The drainage strategy has been modelled for all storm events up to and including the 1 in 100-year event, incorporating a 40% climate change allowance and utilising the latest Flood Estimation Handbook data. The modelling demonstrates that the system would operate without on-site flooding under these design conditions.
- 7.59 The Lead Local Flood Authority (LLFA) has been consulted on the proposals. In their review of the amended flood risk and drainage information (Elliott Wood Technical Note P00, dated 22.08.2025), they noted the inclusion of additional and amended hydrobrakes and orifice controls within the network. As it was not clear whether these reflect the as-built system or are now required, the LLFA has recommended a planning condition to ensure that the final scheme incorporates such measures where necessary to safeguard against any increased risk of flooding elsewhere.
- 7.60 Having regard to the site's location, the scale and type of development proposed, and the submitted technical evidence, Officers are satisfied that the scheme accords with the NPPF, PPG and relevant Local Plan policies, subject to pre-commencement conditions. These conditions will require the submission of detailed construction drawings, a management and maintenance plan for the SuDS features, a verification report, and details of the off-site drainage measures for approval by the Local Planning Authority in consultation with the LLFA.

- 7.61 Overall, the LLFA raised no objection to the proposal subject to the imposition of conditions. Given the above, as an allocated site in the District Plan which has also been the subject of a Strategic Flood Risk Assessment and sequential test at the plan making stage, the development is considered to be acceptable in relation to flood risk.

Ecology and Biodiversity

- 7.62 Policy NE2 requires proposals to achieve a net gain in biodiversity where it is feasible, NE3 requires a demonstration of how a development improves the biodiversity value of the site and surrounding environment.

The Refined Masterplan for the site places an emphasis on biodiversity and habitat creation.

- 7.63 An Ecological Impact Assessment produced by Wardall Armstrong, dated August 2024 appraisal has been submitted with the application, and this concludes that given the constraints of the site it is considered to be of very low local value for ecology and the impact to protected species or habitats from the proposed development could be reduced negligibly. To mitigate and enhance biodiversity where possible, swift boxes are proposed, as requested by the Herts Swift Group, and secured by a condition listed at the end of this report.
- 7.64 Paragraph 186(d) of the NPPF states that development proposals whose primary objective is to conserve or enhance biodiversity should be supported. It also requires that opportunities to improve biodiversity in and around developments are integrated into their design, particularly where measurable net gains can be secured or where public access to nature can be enhanced.
- 7.65 The Environment Act 2021 introduces a statutory requirement that all planning permissions granted in England (subject to limited exemptions) must deliver a minimum of 10% biodiversity net gain. This is to be demonstrated using the Government's biodiversity metric, which calculates the site's baseline ecological value and the predicted post-development value. The proposed development does not fall within any of the listed exemptions and is therefore required to deliver at least a 10% BNG.
- 7.66 A Biodiversity Net Gain Assessment has been submitted with the application. The assessment acknowledges that, given the constrained urban nature of the site, the development would result in a predicted biodiversity net loss of 100% according to the statutory metric. Whilst

the wider regeneration scheme does include enhancements to the River Stort and other measures delivering biodiversity gains, these wider benefits cannot be applied to the current application site in isolation.

- 7.67 Hertfordshire County Council's Ecology Team has reviewed the submission. Their response raises concern regarding the applicant's ability to meet the statutory BNG requirement on-site. However, they note that this should not form a reason for refusal, as the requirement can be addressed through the submission of a Biodiversity Gain Plan at the post-determination stage.
- 7.68 To address the shortfall, the applicant is exploring off-site options. Off-site BNG is permitted where on-site is not feasible and can be secured by Biodiversity Gain Plan required by pre-commencement condition. This means the applicant must certify via that plan how off-site gains will work.
- 7.69 On this basis, Officers are satisfied that the development can secure the minimum 10% biodiversity net gain required by the Environment Act 2021. The proposals are therefore considered to comply with the NPPF and relevant statutory provisions, subject to a condition requiring the submission, approval and implementation of a Biodiversity Gain Plan prior to the commencement of development.

The standard of amenities for future occupiers of the development including issues relating to noise and air quality

- 7.70 The application is supported by a Noise Impact Assessment (Acoustic Report) produced by Wardall Armstrong, dated April 2024, which sets out that the dominant noise sources in the area are from the adjacent road network. No noise from the flour mill on the other side of Station Road has been identified. The Noise Report also assesses the impact of the proposed commercial units.
- 7.71 The results of the assessment of internal sound levels indicate that, to meet the guideline levels, windows should be close. With a window closed solution, alternative means of background ventilation is required.
- 7.72 Acoustically rated trickle vents and double glazing with increasing performance values have been used in the calculations. The results indicate that the above elements provide sufficient attenuation to reduce external sound ingress sufficiently to achieve good internal conditions throughout the development during the daytime and night-time. Table 7 included in the Noise Impact Assessment specifies the

minimum façade transmission loss requirements and any glazing and ventilation systems which meet the sound reduction specified will be appropriate for use in the as-built design.

- 7.73 The Council's Environmental Health Officer (EHO) has considered carefully the information supplied by the applicant and having reviewed the Noise Impact Assessment (acoustic report) by Wardall Armstrong dated April 24, providing all recommendations and mitigations proposed are fully implemented, no objection is raised. As such, a condition is listed at the end of this report.
- 7.74 Policy EQ4 in the District Plan states that the effect of development on air quality is a material consideration. An Air Quality Impact Assessment by Wardall and Armstrong, dated April 2024 in which it is noted that for the operational phase the background pollutant concentrations at the site are well below the relevant annual mean air quality objectives. Any slight increase would not cause a significant impact on air quality.
- 7.75 In accordance with the Council's Sustainability SPD and emissions mitigation assessment has been undertaken. The total damage cost for the proposed development over a 5 year period is £16, 661. In accordance with the Sustainability SPD, it is expected that this should be used to contribute to on-site mitigation measures. However, the mitigation measures planned for the proposal already exceed this sum and the SPD expectation has been met.
- 7.76 Given the above factors, it is considered that the proposal would provide an acceptable environment for future occupants of the development.

Other Matters

Climate Change

- 7.77 Para. 164 of the NPPF outlines that new development should be planned in ways that can help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any requirements for the sustainability of buildings should reflect the Government's policy for national technical standards.
- 7.78 Policy CC2 in the District Plan requires all new developments to show how carbon dioxide emissions will be minimised taking into account of all levels of the energy hierarchy. Carbon reduction should be met on-site unless it can be demonstrated this is not feasible or viable. Policy

WAT4 requires the efficient use of water resources by the incorporation of water saving measures and equipment, incorporation of grey water recycling and reducing water consumption to a target of 110 litres or less per head per day. Policy CC1 in the NP states that every development should contribute to reducing or lowering greenhouse gas emissions.

- 7.79 The Council adopted its Sustainability SPD in 2021, and this document aims to provide technical guidance on sustainable design and construction to improve the sustainability of new development. It covers the issues of design led approach, energy and carbon, climate change adaptation, water efficiency, pollution, sustainable transport, biodiversity and waste management. The SPD requires 31% improvement in carbon reduction compared with the Building Regulations.
- 7.80 The proposed development will incorporate an energy strategy based on the “Be Lean, Be Clean, Be Green” hierarchy. Measures include energy efficiency improvements, the installation of air source heat pumps for heating and cooling, ASHP pre-heat for hot water, and a 20kW photovoltaic array to generate on-site renewable energy. Collectively, these measures will deliver a 42% reduction in carbon emissions and a 31% reduction in primary energy use compared with baseline standards.
- 7.81 The above measures demonstrate the proposal complies with the NPPF, policies CC2 and WAT4 in the District Plan and policy CC1 in the NP.

Hatfield Forest

- 7.82 Hatfield Forest is located approximately 4.5 miles to the east of the site and is a National Nature Reserve (NNR) and Site of Special Scientific Interest (SSSI). The forest is regarded to be of international importance for its ancient wood pasture-forest habitats. This being the case the site is afforded protection under the Conservation of Habitats and Species Regulations 2017. Given Hatfield Forest’s status as a SSSI, it is important to note the duty imposed on the Council by section 28G of the Wildlife and Countryside Act 1981 *to take reasonable steps, consistent with the proper exercise of the authority’s functions, to further the conservation and enhancement of the flora, fauna or geological or physiological features by reason of which the site is of special scientific interest.*
- 7.83 In exercising its statutory planning functions, there are other similar duties on the Council as imposed by the Natural Environment and Rural

Communities Act 2006 (NERC Act) to consider what actions it can take for the conservation and enhancement of biodiversity.

- 7.84 The NPPF advises that if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or as a last resort, compensated for, then planning permission should be refused. Development on land within or outside a SSSI and which is likely to have an adverse effect on it (either individually or in combination with other developments) should not normally be permitted. The only exception is where the benefits of the development in the location clearly outweigh the features of the site. Development resulting in the lesser deterioration of irreplaceable habitats such as ancient woodland should be refused unless there are wholly exceptional reasons, and a suitable compensation strategy exists.
- 7.85 Policy NE1 in the District Plan states that development proposals which are likely to have a detrimental impact which adversely affects the integrity of a designated site will not be permitted unless material considerations clearly outweigh the need to safeguard the nature conservation value of the site.
- 7.86 Natural England have commented on hybrid application 2/22/1613/OUT and say that the habitats at Hatfield Forest are vulnerable to recreational impacts and within recent years there has been concern regarding the number of visitors which is increasing and is linked to nearby residential development. Visitor surveys have allowed a Zone of Influence (ZOI) for recreational impact to be determined at 11.1km around the forest. Natural England state that new residential development within the ZOI is likely to damage the interest features of Hatfield Forest as a NNR and SSSI.
- 7.87 Due to the increase in residential dwellings and resulted pressure on Hatfield Forest hybrid planning permission 3/22/1613/OUT secured a financial contribution of £63,450 to be put towards a mitigation strategy for the forest, which would include a package of measures to increase resilience of the ancient woodland to recreational pressures and for larger developments other on and off-site measures. By securing that contribution, the council would be complying with the requirements of the Wildlife and Countryside Act 1981, the NERC Act 2006 and the NPPF.
- 7.88 The proposed hotel is designed to offer comfortable convenient accommodation for short business trips and occasion-based stays such as weddings. The convenient town centre location offers good connectivity to travel hubs/gateways such as Stansted Airport. The

proposal does not provide on-site greenspace but is connected via footpaths to greenspace near to the footbridge over the River Stort. Given the nature of the hotel, its urban context and access to the green space it is considered that users of the hotel would have a negligible impact to Hatfield Forest.

- 7.89 The benefits of the development in the form of providing employment and economic growth on an allocated site clearly outweighs the negligible impact on Hatfield Forest. Any harm would be mitigated by the financial contribution already secured via permission 3/22/1613/OUT.

Third Party Comments

- 7.90 The majority of comments made on the application have been responded to within the body of this report. In terms of other issues raised, they are responded to below.

Can the side elevation of the hotel have some extra design aspects such a mural or windows?

The mass of the side elevation to the west fronting Anchor Street has been broken up by the use of recessed brick detailing, metal coping and the continuation of darker brick at the lower levels with lighter brick above to make the upper floors appear less dominant.

There is no designated drop-off areas at the hotel considering that all guest parking will be offsite.

The hotel and the adjacent bus interchange are proposed as car-free elements of the development. Consequently, no on-site drop-off areas are provided. Guests will use off-site parking facilities at Jackson Square Car Park and Crown Terrace Car Park, both of which are within approximately a 10-minute walking distance of the hotel.

Affinity Water raise objection to the scheme.

Affinity water removed their objection to the proposal December 2024 subject to re-consultation should the drainage design change or were contamination is found during development.

Prejudicial impact arising from the proposed hotel development and the Allison Flour Mill in respect of noise and suggested alternative options. Noise issues have been addressed in the main body of the report. It was found that noise from the Mill would not affect the occupants of the

hotel. However, conditions are listed below ensure suitable mitigation is included in the development.

In terms of suggest alternative options, the application is determined on the basis of the details submitted during the determination period and local planning authority are not required to sequentially assess alternative options.

8.0 Planning Balance and Conclusion

- 8.1 The application site forms part of the wider Goods Yard allocation and is previously developed land in a highly sustainable location adjacent to Bishop's Stortford railway station and town centre. National and local policy strongly supports the redevelopment of such sites, particularly where proposals deliver high-quality design and sustainable transport improvements.
- 8.2 The scheme would deliver a 92-bedroom hotel and associated commercial floorspace, together with improvements to the Bishop's Stortford bus interchange. These elements have long been established through extant permissions as appropriate uses for this part of the site. The proposals will contribute positively to the town's visitor economy, provide employment opportunities, and enhance the operation of the transport interchange, all of which are public benefits of significant weight.
- 8.3 In design terms, the building has evolved from the earlier approved scheme to incorporate material and detailing improvements, including the use of varied brick tones and articulation to reduce massing. The hotel is considered to sit comfortably within its urban context and would have a neutral effect on the setting of the Bishop's Stortford Conservation Area. Officers are satisfied that there would be no unacceptable impact on the amenity of nearby residents, given the established precedent of a hotel in this location.
- 8.4 Highway and transport matters have been carefully considered. The site benefits from excellent connectivity to public transport and the town centre, and car parking demand will be managed through nearby public car parks. Cycle facilities are secured by condition. The revised bus interchange design, while modest in scale, makes effective use of the constrained site and would deliver modern shelters, real-time information and improved lighting, thereby enhancing passenger facilities.

- 8.5 With regard to flood risk and drainage, a robust strategy has been agreed in consultation with the Lead Local Flood Authority, subject to conditions. In biodiversity terms, while the constrained site cannot achieve net gain on-site, the statutory requirement for 10% BNG will be secured through a Biodiversity Gain Plan, including off-site measures as necessary. The development also incorporates a comprehensive energy strategy, delivering a 42% reduction in carbon emissions compared with baseline standards, in line with the Council's sustainability objectives.
- 8.7 Drawing these matters together, the proposals are considered to represent sustainable development. The benefits of delivering a hotel, commercial space, and upgraded bus interchange in a sustainable town centre location clearly outweigh any limited harms identified. There are no adverse impacts which significantly or demonstrably outweigh the benefits of the proposal when assessed against the policies of the NPPF and the Development Plan taken as a whole.

RECOMMENDATION

That planning permission be **GRANTED** subject to the conditions set out below:

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 The development hereby approved shall be carried out in accordance with Drawing No. J9364-212 titled 'Proposed Phase Plan' (so that relevant phases can be determined in other conditions below), unless otherwise agreed in writing by the Local Planning Authority.

Reason: To enable the Local Planning Authority to exercise control over the development.

- 4 The development hereby approved shall provide 92 rooms within the hotel and 522sqm of flexible commercial space (Use Class E) at ground floor, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of proper planning and to ensure maximum provision of commercial floorspace is provided and to limit the quantum of Class E floorspace and to ensure servicing arrangements for the individual unit are acceptable in highways terms compliant with policy RTC1 of the East Herts District Plan 2018.

- 7 No guest or customer of the hotel use hereby permitted may occupy any part of the hotel accommodation for a period exceeding ninety days (90) in any continuous period of six months. The operator of the hotel shall at all times maintain an accurate register of the permanent addresses of all guests and of the dates of their occupancy of the accommodation. These registers shall be kept for not less than two years from the date of the last entry and shall be made available to be inspected by the Local Planning Authority upon reasonable request.

Reason: To ensure the hotel is managed in a manner that protects the amenity of nearby residents and in accordance with Policies EQ2 and TRA2 of the East Herts District Plan 2018.

- 8 The development shall be built so that no fewer than 5% of the hotel rooms hereby approved are accessible. These hotel rooms shall be maintained as accessible for the lifetime of the development.

Reason: To ensure that the hotel development achieves an inclusive design in accordance with chapters 8 and 12 of the NPPF.

- 9 Prior to the first occupation of the hotel hereby approved, a Hotel Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include measures relating to:

- staffing levels and on-site management;
- guest arrival and departure arrangements (including taxi and private hire vehicle pick-up and drop-off);
- Accessibility Management Plan
- Noise management measures for hotel guests and visitors;
- arrangements for the management of external areas.

The development shall thereafter be operated in full accordance with the approved Plan for the lifetime of the use.

Reason: To ensure the hotel is managed in a manner that protects the amenity of nearby residents and the safe operation of the transport interchange, in accordance with Policies EQ2 and TRA2 of the East Herts District Plan 2018.

- 10 The hotel shall not be occupied until the bus interchange has been constructed to a practical completion standard meaning that the bus interchange is sufficiently complete for its intended use as a public transport facility and made available for use, and the Local Planning Authority has confirmed in writing that this has been achieved. In any event, the bus interchange shall be completed and made available for use no later than 31 December 2027.

Reason: To secure the timely provision of the bus interchange in the interests of sustainable transport and the wider public benefit in compliance with policy TRA2 of the East Herts District Plan 2018.

- 11 Prior to the first occupation of any Class E floorspace, a Management and Marketing Strategy for that space shall be submitted to and approved in writing by the Local Planning Authority. The Strategy shall include details of:

- (a) the proposed approach to marketing the floorspace to appropriate occupiers;
- (b) measures to ensure the active use and ongoing vitality of the commercial floorspace; and
- (c) arrangements for monitoring and reporting to the Local Planning Authority.

The approved Strategy shall be implemented in full and adhered to at all times thereafter.

Reason: To ensure the viability and vitality of the site in compliance with Policy BISH7 of the East Herts District Plan 2018.

- 12 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification), the Class E floorspace hereby permitted shall not be used for any purpose other than that expressly approved under this permission, and no change of use to any other Class or use permitted by the GPDO shall take place without the prior written approval of the Local Planning Authority.

Reason: To ensure the viability and vitality of the site in compliance with Policy BISH7 of the East Herts District Plan 2018.

- 13 No phase of development hereby permitted shall commence until a scheme to deal with contamination of land/ground gas/controlled waters within that phase has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include all the following measures, unless the Local Planning Authority dispenses with any such requirement specifically in writing:
1. A Phase II intrusive investigation report detailing all investigative works and sampling on site, together with the results of the analysis, undertaken in accordance with BS 10175:2011 Investigation of Potentially Contaminated Sites – Code of Practice. The report shall include a detailed quantitative human health and environmental risk assessment.
 2. A remediation scheme detailing how the remediation will be undertaken, what methods will be used and what is to be achieved. A clear end point of the remediation shall be stated, and how this will be validated. Any ongoing monitoring shall also be determined.
 3. 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.
 4. A validation report detailing the proposed remediation works and quality assurance certificates to show that the works have been carried out in full accordance with the approved methodology shall be submitted to and approved by the Local Planning Authority prior to [first occupation of the development/the development being brought into use]. 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 to protect human health and the environment in accordance with policy EQ1 of the adopted East Herts District Plan 2018.

- 14 No phase of development hereby approved shall commence until a written programme of archaeological works in accordance with a written

scheme of investigation for that phase has been submitted to and approved by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved scheme and the required archaeological reports submitted to the Local Planning Authority.

Reason: The programme is required to be undertaken prior to the commencement of the development to secure the protection of and proper provision for any archaeological remains in accordance with Policies HA1 and HA3 of the East Herts District Plan 2018 and the National Planning Policy Framework.

- 15 Prior to the commencement of development hereby approved, construction drawings of the surface water drainage network, associated sustainable drainage components and flow control mechanisms and a construction method statement shall be submitted and agreed in writing by the Local Planning Authority. The scheme shall then be constructed as per the agreed drawings, method statement, Drainage Strategy Technical Note and calculations (ElliottWood Technical Note PO3 dated 22.08.2025) and remaining in perpetuity for the lifetime of the development unless agreed in writing by the Local Planning Authority. No alteration to the agreed drainage scheme shall occur without prior written approval from the Local Planning Authority.

Reason: To ensure that the development achieves a high standard of sustainability and to comply with WAT5 of the East Herts District Council Local Plan 2018

- 16 The development hereby approved shall not be occupied or brought into use until details of the maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented prior to the first occupation and use of the development hereby approved and thereafter managed and maintained in accordance with the approved details in perpetuity. The Local Planning Authority shall be granted access to inspect the sustainable drainage scheme for the lifetime of the development. The details of the scheme to be submitted for approval shall include:
- I. a timetable for its implementation.
 - II. details and plan of SuDS feature and connecting drainage structures and maintenance requirement for each aspect including a drawing showing where they are located.
 - III. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by

any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime. This will include the name and contact details of any appointed management company.

Reason: To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with WAT5 of the East Herts District Council Local Plan 2018.

- 17 Upon completion of the surface water drainage system, including any SuDS features, and prior to the first use of the development, a survey and verification report from an independent surveyor shall be submitted to and approved in writing by the Local Planning Authority. The survey and report shall demonstrate that the surface water drainage system has been constructed in accordance with the details approved pursuant to Condition 15. Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed with the findings submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the flood risk is adequately addressed, not increased and users remain safe for the lifetime of the development in accordance with WAT5 of the East Herts District Council Local Plan 2018.

- 18 Development shall not commence until details for offsite drainage measures as per the submitted surface water calculations contained within Elliott Wood Technical Note PO3 dated 22.08.2025 have been submitted to and approved in writing by the Local Planning Authority. The works shall be undertaken in accordance with the approved details and evidence of completion shall be submitted to the Local Planning Authority prior to any above ground works.

Reason: To prevent flooding offsite in accordance with the WAT5 of the East Herts District Council Local Plan 2018.

- 19 Prior to the commencement of any piling works, details of the method of piling for the construction works, including a method statement and noise emissions, 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 protecting against pollution in accordance with Policy EQ2 of the East Herts District Plan 2018.

- 20 No above ground works shall take place until detailed plans demonstrating the provision of sufficient ducting space for full fibre connectivity infrastructure within the development have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with these plans thereafter and maintained as such in perpetuity.

Reason: To provide high quality digital connectivity infrastructure in accordance with policy ED3 of the East Herts District Plan 2018.

- 21 Prior to first use of the Bus Interchange hereby approved, all bus shelters within the Bus Interchange must be fitted with Real Time Information Display boards.

Reason: To ensure the delivery of a high quality bus interchange that encourages bus use as per local plan policy in compliance with policy TRA2 of the East Herst District Local Plan 2018.

- 22 Prior to commencement of above ground works of the hotel building, proof that the plans can achieve secured by design accreditation must be submitted to and approved by the Local Planning Authority. The development should demonstrate reasonable endeavours have been used to achieve secured by design accreditation to silver and maintain this standard throughout the lifetime of the development.

Reason: In the interests of reducing the potential for crime, in accordance with East Herts District Council Local Plan Policy DES4.

- 23 Prior to first use of the hotel and commercial floorspace hereby approved, a servicing, deliveries and waste (refuse, recycling and food waste) management plan must be submitted to and approved by the Local Planning Authority which sets out how the hotel and commercial land uses will comply with regulations and demonstrate how the associated servicing, deliveries and waste requirements will not result in traffic impacts to the operation of the surrounding local highway, footway, cycleway and public transport network.

Reason: To ensure the delivery of a satisfactory and safe development as per TRA2 of the East Herts District Council Local Plan 2018.

- 24 Prior to first use of the hotel building, a cycle parking management scheme must be submitted to the Local Planning Authority for approval

which sets out:

- i Security measures at the cycle store and lighting provision;
- ii Inclusion of the staff cycle parking facilities and measures to inform staff of the facility in the Travel Plan.
- iii A commitment to provide an alternative long stay cycle parking scheme for staff and visitors within 1 month should the current proposed cycle parking scheme be removed (current scheme operated by a third party).

Reason: To ensure the development encourages active travel use as per Policy TRA2 of the East Herts District Plan 2018.

25 No development for a relevant phase of development shall commence until a Construction Management Plan for that phase 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, 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 Policy and TRA2 of the East Herts District Plan 2018.

- 26 Prior to first occupation or use of a relevant phase of development hereby approved, the hard surfaced areas within that phase (including roads, pavements, forecourts and car parking areas) shall be surfaced in accordance with details submitted to and approved in writing by the Local Planning Authority together with a schedule of management and maintenance for a minimum period of five years, including arrangements for replacement or repair of materials and features where necessary and thereafter the development should be implemented in accordance with the approved details.

Reason: To ensure safety and satisfactory appearance in accordance with Policies DES4 and TRA2 of the East Herts District Plan 2018.

- 27 Prior to the installation of any external lighting within a relevant phase of development hereby approved, details of such lighting within that phase shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of the lighting fixtures, luminance levels within and adjoining the site. The lighting shall not be installed other than in accordance with the approved details.

Reason: In the interests of ecology, safety and the amenities of the area in accordance with Policies DES3 and DES4 of the East Herts District Plan 2018.

- 28 Prior to the commencement of any above ground works of the hotel building hereby approved, samples of the external materials to be used shall be submitted to and approved in writing by the Local Planning Authority, and thereafter the development shall 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.

- 29 Prior to the commencement of any above ground construction works, a Species Enhancement Plan by an appropriate experienced ecologist that includes details of the model and siting of four universal Swift bricks shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved universal Swift bricks shall be installed before any part of the roof of the building is constructed, which includes the fitting of any cappings or copings, roof ties, roof trusses or rafters according to construction method.

Reason: This condition is necessary to ensure the protection of wildlife and supporting habitat. Also, to secure opportunities for enhancing the site's nature conservation value in line with national planning policy and

adopted policies NE2 and NE3 of the East Herts District Plan 2018 which state that development should seek to protect and enhance biodiversity.

- 30 The development hereby approved shall be carried out fully in accordance with the recommendations and mitigations proposed in the acoustic report prepared by Wardall Armstrong ref CA13030 dated April 24 unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of ensuring suitable noise conditions for occupiers of the development in accordance with Policy EQ2 of the East Herts District Plan 2018.

- 31 Prior to the commencement of any Class E use involving the preparation or sale of hot food, details of the fume extraction, ventilation and odour control equipment to be installed, including details of the design, siting, external appearance, acoustic performance and maintenance schedule, shall be submitted to and approved in writing by the Local Planning Authority. The equipment shall be installed in accordance with the approved details prior to the commencement of the relevant use and thereafter retained, operated and maintained as approved for the lifetime of the development.

Reason: To ensure that any extraction and ventilation equipment does not harm the amenity of nearby occupiers or the character and appearance of the development, in accordance with Policies EQ2 and DES4 of the East Herts District Plan 2018.

- 32 Any plant shall be installed, together with any associated ancillary equipment, so as to prevent the transmission of noise and vibration into neighbouring premises. The rated noise level from all plant and ancillary equipment shall be 10dB(A) below the measured background noise level when measured at the nearest noise sensitive premises. An assessment of the expected noise levels shall be carried out in accordance with BS4142:2014 'Methods for rating and assessing industrial and commercial sound.' and any mitigation measures necessary to achieve the above required noise levels shall be submitted to and approved in writing by the Local Planning Authority. The plant shall thereafter be installed together with any necessary mitigation measures and maintained in accordance with the approved details, unless otherwise agreed in writing by the local Planning Authority.

Reason: To protect acceptable local noise levels, in accordance with policy EQ2 of the East Herts District Plan 2018 and the National Planning Policy Framework

- 33 The development shall be carried out in full accordance with the measures set out in the approved Operation Energy Report ref;02 ENE01 and SCEW Statement ref: 044-01 03. These documents demonstrate how the development will achieve a minimum 10% reduction in carbon dioxide emissions through the use of on-site renewable and/or low carbon technologies (which may include photovoltaic panels, air source heat pumps, or other equivalent technologies). The approved measures shall be installed prior to first occupation of the development and shall thereafter be retained and maintained in working order for the lifetime of the development.

Reason: To ensure the development contributes to carbon reduction and climate change objectives in accordance with Policy CC2 of the East Herts District Plan 2018 and the National Planning Policy Framework.

- 34 Prior to the first occupation of the hotel building hereby approved, evidence shall be submitted to and approved in writing by the Local Planning Authority demonstrating that:
- i all hotel bedrooms achieve a maximum indoor water consumption of 110 litres per person per day; and
 - ii all commercial areas incorporate water efficient fixtures, fittings and appliances designed to minimise water consumption in line with BREEAM “Very Good” or equivalent standard.

The approved measures shall be retained in working order for the lifetime of the development.

Reason: To ensure the development minimises water consumption and contributes to the efficient use of resources in accordance with Policies CC1, CC2 and WAT4 of the East Herts District Plan 2018 and the National Planning Policy Framework

- 35 Prior to the commencement of any piling works, details of the method of piling for the construction works, including a method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage subsurface sewerage infrastructure, noise emissions and the programme for the works) and piling layout plan including all Thames Water wastewater

assets, the local topography and clearance between the face of the pile to the face of a pipe 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 protecting against pollution in accordance with Policy EQ2 of the East Herts District Plan 2018.

- 36 No development shall commence unless and until a Biodiversity Net Gain Plan, in accordance with the BNG Design Stage Assessment December 2024, to ensure that there is a net gain in biodiversity within a 30-year period as a result of the development, has been submitted to and agreed in writing by the Local Planning Authority. The net biodiversity impact of the development shall be measured in accordance with the Strategy Biodiversity Metric as applied in the area in which the site is situated at the relevant time.

The content of the Biodiversity Net Gain Plan should include the following:

- i. Proposals for the on-site biodiversity net gain;
- ii. A management and monitoring plan for the on-site biodiversity net gain including 30-year objectives, management responsibilities, maintenance schedules, and a methodology to ensure the submission of monitoring reports in the years 2, 5, 10, 15, 20, 25, and 30 from commencement of development, demonstrating how the BNG is progressing towards achieving its objectives, evidence of arrangements and any rectifying measures needed;
- iii. Proposals for any off-site biodiversity net gain provision; and
- iv. A management and monitoring plan for the off-site biodiversity net gain including 30-year objectives, management responsibilities, maintenance schedules, and a methodology to ensure the submission of monitoring reports in the years 2, 5, 10, 15, 20, 25, and 30 from commencement of development, demonstrating how the BNG is progressing towards achieving its objectives, evidence of arrangements and any rectifying measures needed.

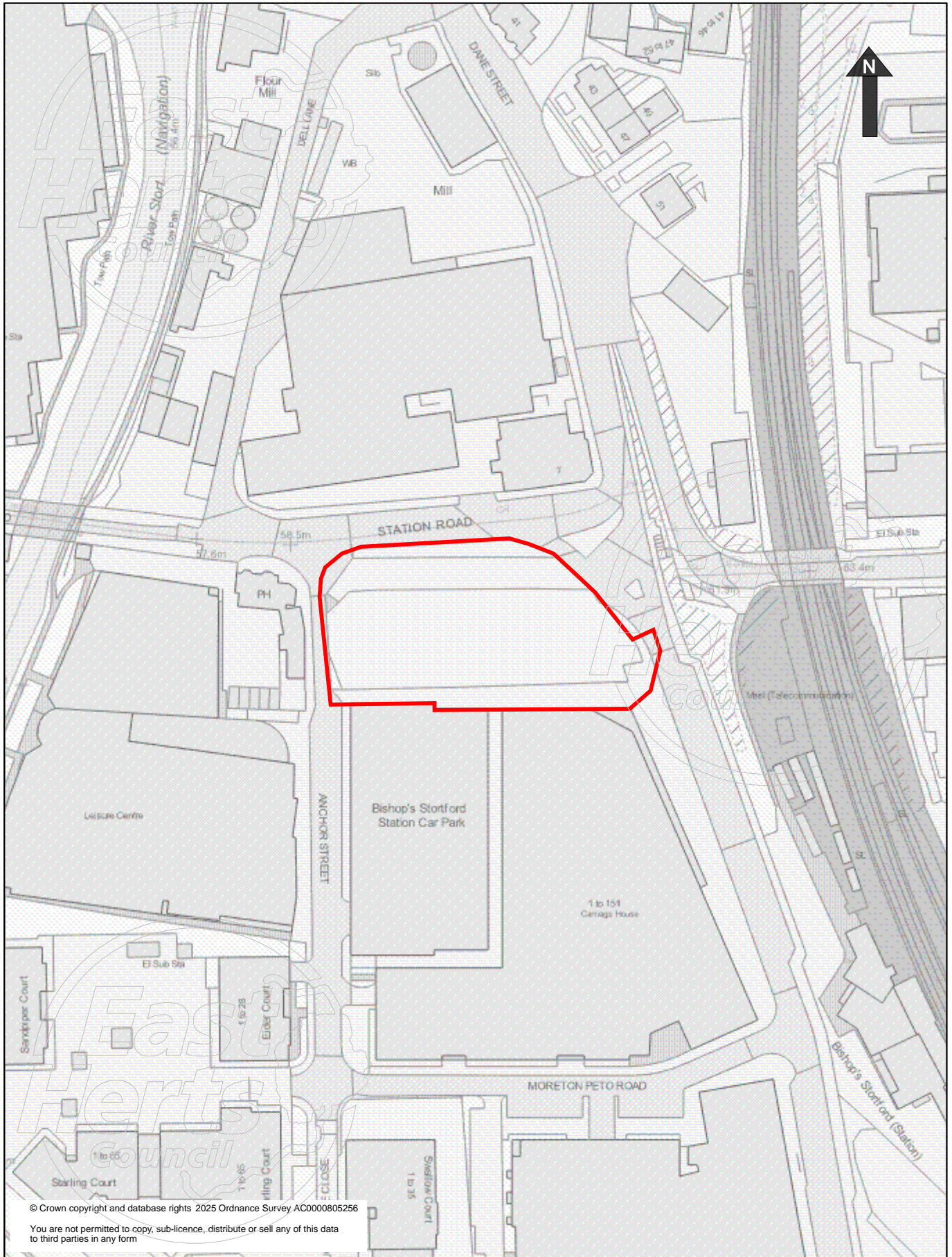
The development shall be implemented in full accordance with the requirements of the approved Biodiversity Net Gain Plan.

Reason: As required by Schedule 7A to the Town and Country Planning Act 1990 (as amended), the NPPF, and s40 of the NERC Act 2006 (as amended).

INFORMATIVES

The Recommendations for Impact avoidance, mitigation and enhancement within section 5.3.1 the Ecological Impact Assessment by Wardell Armstrong, report date August 2024 represent precautionary measures and best practice which should be followed to avoid the risk of harm to extant protected species.

The applicant is advised that any surface water discharge to the Sort Navigation will require prior consent from the Canal and River Trust. AS the Trust is not a land drainage authority, such discharges are not granted as of right-where they are granted, they will usually be subject to completion of a commercial agreement. Any works would also need to comply with the Canal and River Trust "Code of Practice for Works affecting Canal and River Trust". The applicant/developer is advised to contact the Trusts Infrastructure works team to discuss these matters further".



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ADDRESS

Bishops Stortford Goods Yard
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PLAN TITLE

Location Plan

PROJECT REF

3/24/1707/FUL

SITE AREA

DATE OF PRINT

06/10/2025

SCALE

1:1250@A4