

5b 3/12/1804/RP – Erection of 81 dwellings and associated details of appearance, landscaping, layout and scale (Phase II) at the Former Trinity Centre, Lady Margaret Gardens, Ware, SG12 7TL for Croudace Homes Ltd

Date of Receipt: 22.10.2012

Type: Reserved Matters – Major

Parish: WARE

Ward: WARE – TRINITY

RECOMMENDATION:

That the details be **APPROVED** subject to the following conditions:

1. Three year time limit (1T12)
2. Boundary walls and fences (2E07)
3. Approved plans (2E10): 026/001A, 026/010B, 026/011A, 026/012A, 026/013A, 026/014A, 026/015A, 026/016A, 026/020, 026/021, 026/022, 026/100, 026/101, 026/102, 0256/103, 026/104, 026/105, 026/106, 026/107, 026/108, 026/109, 026/110, 026/111, 026/112, 026/113, 026/114, 026/115, 026/116, 026/117, 026/118, 026/119, 026/120, 026/121, 026/122, 026/123, 026/124, 4226/1, 4226/2 AND 7170/01
4. Samples of materials (2E12)
5. Refuse disposal facilities (2E24)
6. Prior to the commencement of the development hereby permitted, details of the arrangements to be implemented to ensure the management and maintenance of any non-adopted common areas of the site, including estate roads, shall be submitted to and agreed in writing by the Local Planning Authority. Once agreed, those arrangements, which may constitute the formation of a Management Company, shall be implemented prior to the first occupation of any of the dwellings hereby permitted and thereafter remain implemented in perpetuity unless alternative arrangements are submitted to and agreed in writing by the Local Planning Authority.

Reason: To secure the long term maintenance of the common areas and estate roads in the interest of safe access, residential and visual amenity and in accordance with policy ENV1 of the East Herts Local Plan Second Review April 2007.

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7. Within 2 months of the adoption as public highway of the main spine road of the development hereby permitted, the existing turning head at the north west site boundary shall be altered to a landscaped area in accordance with the site layout plan 026/010B and a scheme of landscaping details to be submitted and as agreed in writing with the LPA. The area thereafter shall be maintained as part of the common management of non-adopted areas with the company constituted under the provisions of condition 6.

Reason: In the interests of the amenity of the area and good quality landscaping and in accordance with policy ENV1 of the East Herts Local Plan Second Review April 2007.

8. Communal TV Facilities (2E28)
9. Tree retention and protection (4P05)
10. Hedge retention and Protection (4P06)
11. Withdrawal of P.D (Part 2 Class A) (2E21)
12. Prior to the construction of any buildings, all access and junction arrangements serving the development shall, unless otherwise agreed in writing by the local planning authority, be completed in accordance with the approved (drawing No 026/010A) and thereafter retained as such to the satisfaction of the Local Planning Authority.

Reason: To ensure that the access is constructed to the current Highway authority's specification as required by the Local Planning Authority and to comply with policy TR2 of the East Herts Local Plan Second Review April 2007.

13. Vehicular Use of garages (5U10)
14. Before the development hereby approved is first occupied, all on site vehicular areas, including (but limited to) internal access roads, forecourts, garages, and external parking spaces, shall be surfaced, marked out (where applicable) and fully completed in accordance with drawing No 026/010A. Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: So as to ensure satisfactory parking of vehicles outside highway limits and to minimise danger, obstruction and inconvenience to users of the highway.

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15. The internal space dimensions of the garages hereby permitted shall comply with the standards as set out at Appendix C within the Council's SPD Vehicle Parking Provision at New Development 2008.

Reason: To enable the convenient use of garages for vehicle parking in accordance with policy TR7 of the adopted East Herts Local Plan Second Review 2007.

16. Sustainable Drainage (2E43)

17. Prior to the first occupation of the development hereby approved the recommendations and mitigation measures as outlined in the submitted Ecological Survey November 2012, shall be fully complied with and implemented to the satisfaction of the Local Planning Authority

Reason: In the interests of the protection of wildlife habitats, biodiversity and protected species under the Wildlife and Access to the Countryside Act 1981 and in accordance with policies ENV16 and ENV17 of the East Herts Local Plan Second Review April 2007.

18. The vehicular access onto Evergreen Road shall be used for emergency access only and constructed in accordance with details to be submitted and approved in writing by the Local Planning Authority showing how the access will be physically restricted. Thereafter the access is to be retained as such to the satisfaction of the Local Planning Authority.

Reason: In the interest of neighbour amenity in accordance with policy ENV1 of the East Herts Local Plan Second Review April 2007.

Directives:

1. Other Legislation (01OL)
2. Outline permission relationship (07OP) (insert 21December 2012 and 3/11/0384/OP).
3. Street Name and Numbering (19SN)
4. The applicant is advised that in order to comply with Conditions of this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highways Authority under Section 278 of the Highways Act 1980 to ensure satisfactory completion of the access and associated road improvements including

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street lighting and Traffic Regulation Orders. The applicant is advised to contact Highways at Hertfordshire County Council County Hall Pegs Lane Hertford SG13 8DN (0300 123 4047).

5. The applicant is advised that no works to the adoptable part of the estate road shall commence until details of the specification, layout and alignment, width and levels of the said highway(s) together with the necessary highway and drainage arrangements, including run off calculations have been approved by the Highway Authority in writing and an Agreement made under Section 38 of the Highways Act 1980 is in place.

Summary of Reasons for Decision

East Herts Council has considered the applicant's proposal in a positive and proactive manner with regard to the policies of the Development Plan (Hertfordshire County Structure Plan, Minerals Local Plan, Waste Core Strategy and Development Management Policies DPD 2012 and the 'saved' policies of the East Herts Local Plan Second Review April 2007 and in particular policies SD1, SD2, SD3, HSG3, HSG4, HSG6, TR1, TR2, TR3, TR7, TR8, TR12, TR14, ENV1, ENV2, ENV3, ENV11, ENV16, ENV17, ENV20, ENV21, LRC3, LRC9, BH1, BH2, BH3 and IMP); the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012. The balance of the considerations having regard to those policies and the pre-application advice given and the approved outline planning permission 3/11/0384/OP is that permission should be granted.

_____ (180412RP.SD)

1.0 Background:

- 1.1 The application site is shown on the attached Ordnance Survey extract and comprises an area of open land of 2.0ha (4.94acres) on the northern edge of Ware. It comprises the second phase of the redevelopment of the former Trinity centre site. The site is owned by Herts County Council and the shared access road, Lady Margaret Gardens has recently been adopted.
- 1.2 To the west, the site abuts the Phase I development of Lady Margaret Gardens, which includes an allocated site for community uses yet to be developed. To the north the adjoining land, in the ownership of Herts County Council, (and to be transferred to East Herts Council) is to be retained as Public Open Space to meet the requirements of both Phase I and Phase II of the residential development. The Public Open Space

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(referred to as POS2) contains a children's play area or Local Equipped Area of Play (LEAP). Beyond that is open countryside and Metropolitan Green Belt

- 1.3 To the south west of the site is Tower Road, with three storey flats opposite, and to the east, Evergreen Road of predominantly two storey residential properties.
- 1.4 The site is bounded to the north east by the rear fenced boundaries of the residential properties of Linwood Road.
- 1.5 The current application seeks the approval of reserved matters for a development of 81 dwellings on the site, on an area of 1.80ha/4.45acres, which equates to a density of 45.55 dwellings per hectare. This application seeks approval for the reserved matters relating to layout; scale; external appearance; and landscaping. Access details were approved previously within the Outline Planning Permission 3/11/0384/OP granted on 21 December 2012.
- 1.6 The application submitted includes a Design and Access Statement, Tree Survey, Foul Sewerage Assessment, Affordable Housing Statement, Sustainability and Energy Statement, Planning Statement, Open Space Assessment, and Revised Ecological Assessment. Full plans detailing the layout, design, scale, parking and landscaping of the proposed development have been submitted which show the access to the site from Fanhams Hall Road through the Phase I development of Lady Margaret Gardens.
- 1.7 The proposed development consists of the details of 81 dwellings for both market (48 units) and affordable housing (33 units) as follows:
 - Affordable housing at a rate of 40.7% consisting of:
 - 11 x 1 bed apartment
 - 5 x 2 bed apartment
 - 6 x 2 bed houses
 - 11 x 3 bed houses
 - Private housing consisting of:
 - 1 x 1 bed apartment
 - 2 x 2 bed apartment
 - 7 x 2 bed house
 - 20 x 3 bed house
 - 17 x 4 bed house
- 1.8. The tenure mix of the affordable units is for 75% affordable rented (25

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dwellings) and 25% intermediate housing (8 dwellings) to accord with the Section 106 agreement of the outline planning permission.

- 1.9. Parking provision for the development comprises 153 allocated parking spaces of which 47 spaces are garages, and 89 spaces are hard standings, with 17 unallocated visitor parking spaces provided.
- 1.10. Within the adopted Local Plan the site lies within a reserved housing site (Policy WA2), adjacent to the Metropolitan Green Belt.

2.0 Site History:

- 2.1 The Trinity Centre site was subject of an approved adopted development brief in 2002. The first phase was granted outline permission in 2003 with details approved in 2005.
- 2.2 Outline planning permission was granted in 2011 for a residential development, of 'up to 81 dwellings', on the site (ref: 3/11/0384/OP). The outline application proposed residential use and public open space but all detailed matters, except for the access, were reserved for the detailed application stage.

3.0 Consultation Responses:

- 3.1 County Highways advise that they do not wish to restrict the grant of permission but request a number of planning conditions. They comment that the reserved matters application follows on from the recently approved outline planning permission for 81 residential units at this site. The internal layout from a highways aspect appears acceptable being broadly the same as the indicative plan submitted with the outline application. The provision of pedestrian accesses onto the wider highway network from Evergreen Road and Tower Road is welcomed as well as access to the playing fields at the north western corner of the site and it is noted the widespread provision of cycle parking spaces.
- 3.2 On-site parking layouts and dimensions are all acceptable from a highways aspect, although parking provision for a number of the 4 bedroom dwellings falls below the adopted standard of 3 spaces, when only 2 spaces are provided. Nevertheless highways consider that the shortfall of spaces is unlikely to significantly impact on the public highway.
- 3.3 Road widths and kerb radii are acceptable, providing adequate provision for refuse collection, service and emergency vehicles.

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- 3.4 The Highways Authority comment that it is no longer common practice for the County Council to enter into agreement under a Section 38 of the Highways Act 1980 to adopt all estate roads as public highways with the exception of the main spine road for the development. It is therefore necessary to secure future maintenance of un-adopted roads by condition.
- 3.5 In terms of the S106 provisions the calculated contribution based on the number and size of units confirmed in this application as 12 one-bed, 21 two-bed, 31 three-bed and 17 four-bed of £83,625 towards sustainable transport improvements is deemed appropriate.
- 3.6 Natural England comments that the proposal does not appear to affect any statutory protected sites or landscapes, or have significant impacts on the conservation of soils, nor is the proposal an EIA development. However, further information should be requested from the applicant in relation to the submitted ecological survey carried out by Epcad in July 2001, which is more than 10 years old, to enable an assessment to be made on the present impact of the proposal on protected species and any proposed mitigation with evidence regarding the assessment of what the impact will be.
- 3.7 Hertfordshire Biological Records (HBRC) comment that the ecological survey of July 2001 is old and new legislation (Natural Environment and Rural Communities Act 2006) has since come into force. It is recommended that the site, including any buildings is assessed ecologically for the 'importance' of habitats and the presence of protected species and that the application is not determined until a new ecological appraisal is carried out.
- 3.8 Herts and Middlesex Wildlife Trust reiterate the comments of HBRC that in 10 years the site conditions may have changed and as such an updated ecological survey for the site needs to be carried out and that the application may need to be withdrawn to allow the information to be gathered.
- 3.9 The Housing Development Officer comments that the scheme provides 40 % affordable housing which is in accordance with policy and confirms the split will be 75% rental (25 units) and 25% shared ownership (8 units) which is the provision sought. There are a couple of units with open plan living spaces where if possible it would be preferable to see a separate kitchen. The fact that all the affordable units are built to Lifetime Homes standard is welcomed as is the provision of 2 bed units for 4 persons.

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3.10 The Council's Landscape Officer comments that the general layout and arrangement of plots, gardens, amenity space, roads, footpaths etc is acceptable in landscape terms. He recommends approval subject to landscape conditions.

4.0 Town Council Representations:

4.1 Ware Town Council is concerned about the access and egress to such a large development being through one single narrow point.

5.0 Other Representations:

5.1 The application has been advertised by way of press notice, site notice and neighbour notification.

5.2 10 letters of representation have been received which can be summarised as follows:

- The development provides too high a density at 81 dwellings and there should be a larger buffer zone between the proposed housing and properties in Linwood Road and Evergreen Road
- There is only one access to the development from Fanhams Hall Road
- Assurances are needed that the mature hedge on the boundary of the site with Evergreen Road is preserved and the nature of the use restriction on the inserted gate proposed for emergency access.
- No access to the new dwellings should be made from Evergreen Road
- Concerns that people would park in Evergreen Road
- Issues regarding the proximity of plots 43 and 44 to No 19 Evergreen Road
- A continuous hedge provided on the boundary of 19 Evergreen Road
- Emergency access gate to be removed,
- No pedestrian, vehicle, motorcycle access other than emergency through gated access.
- Remove first floor window plot 34/37 facing 19 Evergreen Road
- Plots 45-48 should be reduced from 2.5 storeys to 2 storeys
- Remove pedestrian/cycleway link.

6.0 Policy:

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

following:

- SD1 Making Development More Sustainable
- SD2 Settlement Hierarchy
- HSG3 Affordable Housing
- HSG4 Affordable Housing: Criteria
- HSG6 Lifetime Homes
- TR1 Traffic Reduction in new developments
- TR2 Access to New Developments
- TR7 Car Parking – Standards
- TR8 Car Parking Accessibility Contributions
- TR12 Cycle Routes-New Development
- TR14 Cycling – Facilities Provision (Residential)
- ENV1 Design and Environmental Quality
- ENV2 Landscaping
- ENV3 Planning out Crime – New Development
- ENV11 Protection of Existing Hedgerows
- LRC3 Recreational Requirements in New Residential Developments
- LRC9 Public Rights of Way
- WA2 Reserve Housing Land
- IMP1 Planning Conditions and Obligations.

6.2 In addition, there are relevant adopted SPD's including: Affordable Housing and Lifetime Homes 2008, Open Space, Sport and Recreation 2009, Planning Obligations 2008 and Vehicle Parking Provision at New Developments

6.3 The following national government guidance is of relevance: Sections 4, 6, 7, 8, and 11 of the National Planning Policy Framework (NPPF)

7.0 Considerations:

7.1 The principle of the development and the access arrangements were approved at outline stage with detailed matters relating to appearance, landscaping, layout and scale reserved. The main issues for consideration in the determination of this application are therefore the acceptability of these details having regard to local plan policies.

Layout and Design

7.2 The immediate locality of the site, within Tower Road, Evergreen Road and Linwood Road is characterised by detached, semi detached and

flatted development following a typical 'linear' type layout. It is of a relatively low density with well spaced post war development and reasonably sized garden spaces. The more recent adjacent development at Lady Margaret Gardens, being of a higher density, follows a more compact layout that does not reflect the general pattern of the locality. The proposed development which will continue on from Lady Margaret Gardens is considered to be a departure in some respects from this pattern of development. However, it would provide a layout pattern that bridges the gap between the two existing areas of development.

- 7.3 The layout of the dwellings in the surrounding area is characteristic of their time of construction and having regard to Government guidance on new residential development. I agree with the applicant's that it is not necessary to precisely replicate either the historic housing layout or the recent development of Lady Margaret Gardens. Therefore, whilst the pattern of development proposed may be somewhat different to that of the surrounding area, there is a provision of circulation routes; street frontages, green spaces, and landscaping that still reflect the character of the local area.
- 7.4 Looking at the layout of the site in more detail the form of the buildings to the spine road at the entrance to the site are aligned facing the play area /open space or framing the spine road, providing an active frontage to the spine road, adding interest as you enter the site, and designed as a distinctive pair of terraces which respond to the entrance to the site. This leads into the site towards plots 38-41 and the Local Area of Play (LAP)/ open space, the central focus for the north south separation of the layout of the site.
- 7.5 The layout is well designed overall with primary (formal) streets, secondary (transitional) streets and tertiary street areas where there are informal but private shared surfaces. In terms of permeability and circulation the S106 agreement provided with the original outline planning permission includes provisions for rights of way to ensure public pedestrian and cycle links from Evergreen Road and Tower Road through the development to the new public open space to be provided as part of the development, ensuring the site is well integrated with the surrounding area meeting the provisions of policy ENV1 (a).
- 7.6 The layout appears to be well spaced, with access roads and dwellings fronting the roads with acceptable defensible landscaped spaces characteristic of the street frontages throughout the site. The garden spaces of the dwellings generally reflect the size of the property it serves with adequate landscaped communal space for the apartment

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buildings. In this respect the proposed development is not considered to be cramped or congested.

Design – Scale and appearance

- 7.7 Looking at the scale of development, with the exception of the full 3 storeys to plots 60-62 and 63-68 (which are apartments) the remainder of the dwellings vary from 2 to 2 ½ storeys where there are dormers within the roof. This scale reflects the scale of development within the immediate locality of Lady Margaret Gardens as well as the largely two storied properties on Evergreen Road, Tower Road and Linwood Road and would ensure that the development assimilates well into the local built form.
- 7.8 The proposed design represents a mix of building types but is predominantly of a terraced nature, with a variation of elevational treatment. Features have been incorporated from the adjacent and surrounding dwellings and their architectural detailing, including segmented arches, canopy porches, tile hanging, bay windows, tiled cills and a variation in the roof ridge profiles, all of which provide a good quality design of the development. The limited range of material finishes for the dwellings of a traditional nature will also help integrate the development in the surrounding built environment.
- 7.9 Overall it is considered that the proposed development would relate well to the scale and designs of nearby residential buildings and the surrounding built form and would therefore reflect local distinctiveness. In this respect the proposal would therefore accord with policy ENV1 of the Local Plan.

Highways and parking Provision

- 7.10 The access to the site was agreed under the outline planning permission, and forms a continuation of the spine road from Lady Margaret Gardens. The County Highways Officer has clearly stated that apart from the spine road which is to be adopted, they recommend that the other roads within the development remain in private ownership. It is therefore necessary that a management company would need to be established to ensure long term maintenance of those roads. Only the spine road into the site to the 'T' junction is likely to be adopted as the Highways Authority consider that this will serve wider public and service access.
- 7.11 Parking provision is proposed to include a mixture of allocated hardstanding parking spaces and garages, located either directly on

each plot or integral to the design within the terrace, with through routes to garages at the rear of some properties or in the immediate vicinity of the plot or terrace. The council's maximum standard for the development as calculated under the Council's SPD: Vehicle parking at New Development would equate to a requirement for 167 spaces. The proposed layout shows 153 spaces, overall (including 17 unallocated visitor spaces) which equates to an average of 1.67 spaces per dwelling.

- 7.12 The Council's policies are based on the maximum level of provision and national planning policy contained in the NPPF, indicates that developers should not be required to provide more parking than the developer has reasonably indicated, other than in exceptional circumstances where there are significant implications for road safety.
- 7.13 The site is within reasonable walking distance to Ware town centre and the development provides footpath and cycle links through the site from Tower Road, Evergreen Road and Lady Margaret Gardens in accordance with the original development brief of 2002. There are also existing bus routes, in place that will facilitate this Trinity Phase II development. County Highways have no objections in respect of the level of parking provision and the potential impact in a highway context as regards highway safety. Accordingly they consider the parking provision to be adequate although they are aware of the shortfall on the maximum. A shortfall of only 14 spaces on the overall maximum, within a development of this scale wherein there are 17 visitor parking spaces would be acceptable.
- 7.14 Concerns have been raised by residents in Evergreen Road as regards the pedestrian/cycleway access and more specifically the Emergency gated access from the proposed development into their road. To accord with the development brief and to provide good connectivity with the surroundings. The pedestrian /cycleway access was indicated and established as part of the outline planning permission for the site and included in the S106 Agreement that was signed on the 21 December 2011. This access will be restricted to ensure that no vehicle access (other than mobility scooters) will be able to gain access to the development from Evergreen Road a similar provision is applied to the link to Tower Road.
- 7.15 As regards the emergency access, (for which details are requested by condition) this is provided purely for emergency vehicles which constitute fire services, ambulances and the police. A small section of hedge will be removed and a metal gate will secure the access, it is also not to be used as a construction access at any time. As such, officers

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are of the view that this is a reasonable provision considering the overall size of the development reliant on a single spine road access from Fanhams Hall Road and the constraints of the use of the emergency access can be controlled by condition.

Neighbour Amenity

- 7.16 The main neighbour amenity issues relate to the relationship of the existing dwellings with the layout and siting of the properties proposed within the development. Given the location of the site on the periphery of the Green Belt and the POS2 open space to the north, the site is only bounded by existing properties to the east, the south and the west. Overall the relationship with existing properties is acceptable with good back to back distance of between 15 – 25 m with either existing landscape separation or additional landscape separations proposed as part of the development.
- 7.17 The properties most affected by the proposal are those on the end of Evergreen Road specifically in this case No 19 Evergreen Road where the proposed terrace of dwellings 42-44 rear elevations and rear gardens back onto the flank wall of No 19 at a distance of 11m. However, there is an established hedge and tree boundary between the two properties, which is to be retained and could be consolidated as part of the landscape proposals. The semi-detached properties in Evergreen Road are dual aspect as regards habitable rooms wherein there would be no direct loss of privacy or general amenity as the rear facing rooms of plots 43-44 would face a flank wall. Plots 38-41 to the north west of No 19 are of a two storey nature and orientated at 30 degrees to avoid direct views into the front rooms of No 19.
- 7.18 Officers note the concerns of the residents 17 and 15 Evergreen Road as regards the impact on neighbour amenity from the building proposed at Plots 32/37 (apartments). The south facing two bed apartment at first floor has an open plan kitchen/ dining room/ lounge which is served by 3 windows. The south facing window to the lounge area would look directly towards No's 17 and 15 Evergreen Road but at a distance of 25m across the existing hedge boundary and highway. It replicates a common relationship of dwellings when they face each other across a street. It is officer's opinion that, at this distance, there would be no significant adverse impact on the outlook, privacy or general amenity for the occupiers at No 17 and 15 Evergreen Road.

Affordable Housing

- 7.19 The affordable housing provision of 40% would deliver 33 units spread throughout the development in 4 main areas with 6 units sited to the eastern side of the site (plots 22, 23, 24-27), 10 units to the centre (plots 32-37 and 38-41), 6 units to the south (plots 45-50) and 11 to the west of the site (plots 63-68, 69, 70 and 71-73).
- 7.20 The Council's Affordable Housing and Lifetime Homes Supplementary Planning Document 2008, (para 6.20) states that to achieve mixed, inclusive and sustainable communities, affordable housing should, on all sites, be distributed across the site, and on sites of 30 or more residential units, be provided in groups of no more than 15% of the total number being provided or 25 affordable units, whichever is the lesser. The site proposes 81 dwellings and 15% would set a threshold of approximately 12 dwellings.
- 7.21 The proposed provision in four separate areas of the affordable housing of a range of 6 – 11 units meets with the SPD Policy requirements and the Council's Housing Development Officer supports the 40% provision, the mix of units and the siting separation, noting the affordable split is 75% rental (25 units) and 25% shared ownership (8 units) which is as requested.

Landscaping

- 7.22 The landscape scheme retains all existing trees and hedges to the boundaries of the site being strengthened with supplementary native tree planting. The internal layout follows the indicative scheme of the outline permission with avenues of native trees framing the frontages along the internal roads and entrance to the development. Low level hedges frame the returns on street corners providing vistas and interest along the proposed street scenes. Across the site further soft landscaping is proposed with shrub planting incorporated into the verges of the dwellings and open spaces.
- 7.23 In terms of hard landscaping layout, the parking courts have been designed with only a limited number of spaces in any one area to prevent the development being dominated by vehicles or large area of unsympathetic hard surfacing. Inter-planting has also been provided where it can be integrated to soften the appearance of the hard landscaping. The Council's Landscape Officer has no objections to the proposal and comments that the general arrangement and layout of plots, gardens and amenity space roads, footpaths etc is acceptable in landscape terms, subject to the submission of detailed landscape

proposals. An existing turning head can be re-landscaped at the site entrance as it is no longer necessary. This matter can be secured by condition.

- 7.24 The provision of tree planting and defensible frontages throughout the development site will contribute significantly to the character and appearance of the scheme, constituting a positive landscape enhancement of the area.
- 7.25 Detailed matters relating to landscaping; for clarification of materials and a fully detailed soft landscape plan is required for the development to ensure the proposal enhances the landscape character of the site, as well as maintaining the context of the rural surroundings to the north of the site. Such matters which are considered to be reasonable to be agreed via the provision of an adequately detailed planning condition.

Ecology

- 7.26 With regards to any impact the proposal will have on the existing landscape character and ecology of the site, it is acknowledged that any development will have an impact on its visual appearance and the proposed Strategic Landscape Plan (026/013A) shows a substantial enhancement of the existing limited landscape character and biodiversity of the site.
- 7.27 As the site was originally a playing field and managed as such, there is limited ecology on the site as identified by the submitted survey carried out in July 2001. This survey is too old (10 years) as identified by Herts Biological Records Centre, Natural England and Herts and Middlesex Wildlife Trust to be used to accurately assess the potential impact of the proposed development of the site. As such an up to date ecological assessment was requested and this was carried out during the application process, in November 2012.
- 7.28 The report's conclusion is that based on the evidence from the ecological survey work undertaken, and with the implementation of the recommendations within the report, there is no reason to suggest that any ecological designations, habitats of nature conservation interest or any protected species would be adversely affected by the proposed development. As such there is no evidence to suggest there are any overriding ecological constraints to the proposed development of the site. The implementation of the recommendations as set out in the report as regards the enhancement of the site for the benefit of biodiversity, particularly to the POS2 area to the north, as outlined in Section 6: Mitigation Measures and Ecological Enhancements (6.8) of the ecological survey should be secured by condition which is

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considered reasonable and relevant as regards the biodiversity opportunity to enhance the site.

Open Space Provision and NEAP

- 7.29 In respect of open space provision on the site itself and the provisions of the Council's SPD: Open Space, Sport and Recreation 2009, the requirement of open space provision for the proposed development was identified at outline permission stage and is secured by the Section 106 agreement. A single on-site LAP (Local Area of Play) and a NEAP (Neighbourhood Equipped Area of Play) will be provided in concert with landscape enhancement works on the area of land referred to as POS2 to be transferred to this Council.
- 7.30 An application submitted for the NEAP (3/12/18076/FP) has been withdrawn to enable details regarding play equipment and landscaping to be revised prior to resubmission.
- 7.31 Officers are of the opinion therefore that, as the provision of the NEAP is secured by the Section 106 Agreement signed on the 21 December 2011, and the requirement for open space provision in the form of the LAP on site, adequate open space provision will be met.

Other Considerations

- 7.32 The application is located close to evidence of occupation of Late Iron Age and Roman date likely to have an impact on significant deposits. In line with advice from the Historic Environment Unit, it is considered that the condition requiring the implementation of a programme of archaeological work attached to the outline planning permission is still relevant and necessary to provide properly for the likely archaeological implications of the development proposed.
- 7.33 On matters relating to financial contributions in respect of sustainable transport and those identified by the County Planning Obligations Unit, these were identified at the outline planning permission stage together with other East Herts Council requirements for pedestrian/ cycle footpath links to Evergreen Road and Tower Road; the provision of Play Areas and Open Spaces and Affordable Housing. They are already secured by the S106 Agreement. The conditions of the outline planning permission will also still apply.

8.0 Conclusion:

- 8.1 The details of the reserved matters provide for a well laid out, well connected and well landscaped proposal that handles the transition

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between Trinity, phase 1, Lady Margaret Gardens, and the wider surroundings. Building typologies are appropriately scaled, address the main streets, parking and amenity provision and are therefore satisfactory.

- 8.2 Having regard to the above, it is considered that the reserved matters from the previous outline application ref: 3/11/0384/OP are acceptably addressed. As this application is a reserved matters application, the Council must ensure that conditions are not unnecessarily replicated from the previous outline planning permission
- 8.2 The conditions listed at the head of this report are considered to be necessary and appropriate and, subject to these conditions, it is recommended that planning permission be granted.