

5b 3/13/0551/FP – Redevelopment of the site to provide 130 residential units, 100 sqm of retail floor space, provision of a link road between Mill Road and Mead Lane and passenger interchange, associated car parking and landscaping at Land junction of Mill Road/Mead Lane, Hertford for Redrow Homes Ltd and B R Residuary Board

Date of Receipt: 23.04.2011

Type: Full – Major

Parish: HERTFORD

Ward: HERTFORD CASTLE

RECOMMENDATION:

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

- £87,956 towards Primary Education;
- £47,376 towards Secondary Education;
- £17,878 towards Nursery Education;
- £5,534 towards Childcare;
- £1,212 towards Youth facilities;
- £12,278 towards Library services;
- £85,506.45 towards Outdoor Sports facilities;
- £8,221.56 towards Play facilities;
- The undertaking of highway improvement works as follows:
 - The provision of the Link Road including a 2m wide footway on the northern side, and a 3m wide cycle/footway on the southern side;
 - The provision of a 3m wide bus lay-by for two buses and a bus shelter;
 - The provision of a 3m wide shared cycle/footway on the eastern side of Mill Road adjacent to the application site;
 - Narrowing of Mill Lane adjacent to the site to 7.3m;
 - A Traffic Regulation Order to implement a bus only right turn from Mead Lane into the Link Road and provide adequate suitable warning signs to prohibit other vehicles from turning right at this

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- location;
 - A Traffic Regulation Order to implement double yellow lines to prohibit parking along the Link Road.
- The provision of a two space Car Club and the submission of a scheme setting out details of the provider, timescales, implementation, parking space layout and associated infrastructure and signage.
- The provision of 40% affordable housing - 75% to be social rented and 25% to be shared ownership;
- The provision of 15% lifetime homes;
- Monitoring fee.

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

1. Three year time limit (1T12)
2. Approved Plans (2E10 – 02-001, 02-002, 02-003, 02-004, 02-005 rev A, 101 rev A, 102 rev A, 103 rev A, 104 rev A, 108 rev A, 109 rev A, 110 rev A, 111 rev A, 201 rev A, 202 rev A, 203 rev A, 204 rev A, 205 rev A, 206 rev A, 207 rev A, 208 rev A, 210 rev A, 211 rev A, 114, 115, 02-117, 02-216, 301 rev A, 501 rev A, 502 rev A, 601 rev A, 602 rev A, 603 rev A, 604 rev A, 605 rev A, 606 rev A, 607 rev A, 1484 03 rev A, 1484 01 rev D, JNY7764-10 rev D, Plan 1, 1203/13/01 rev D)
3. Samples of materials (2E12)
4. Programme of archaeological work (2E02)
5. Levels (2E05)
6. Boundary walls and fences (2E07)
7. Refuse disposal facilities (2E24)
8. Lighting details (2E27)
9. Materials arising from demolition (2E32)
10. Prior to first occupation of the development, detailed plans of the highway works shall be submitted to and approved in writing by the

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Local Planning Authority, and the development shall not be occupied until the approved highway works, Link Road, junctions, access and car parking areas are completed in accordance with the approved plans and constructed to the specification of the Highway Authority and the satisfaction of the Local Planning Authority.

Reason: To ensure the highway works are constructed to a satisfactory standard.

11. Prior to the commencement of development, a detailed construction management plan shall be submitted to and approved in writing by the Local Planning Authority, and the plan shall include the following:
- The construction programme and phasing;
 - Hours of operation, delivery and storage of materials;
 - Details of any highway works necessary to enable the construction to take place;
 - Parking and loading arrangements;
 - Details of any hoarding;
 - Details of how pedestrian and cyclist safety will be maintained;
 - Management of traffic to reduce congestion;
 - Control of dust and dirt on the public highway;
 - Details of consultation with local businesses or neighbours;
 - Details of any other construction sites in the local area;
 - Waste management proposals.

Reason: In the interests of highway safety and to minimise the impact of construction on the local highway network.

12. Green Travel Plans (3V27)
13. Landscape design proposals (4P12 e, i, j, k, l)
14. Landscape maintenance (major sites only) (4P17)
15. Construction hours of working - plant and machinery (6N07)
16. The commercial unit hereby approved shall be used for A1 (shops), A2 (financial and professional services) or A3 (restaurants and cafés) purposes only and for no other use within the Town and Country Planning (Use Classes) Order 1987 (as amended).

Reason: To ensure that no alternative use is made of the premises which would be detrimental to the amenities of adjoining occupants in

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accordance with policy ENV1 of the East Herts Local Plan Second Review April 2007.

17. Prior to the commencement of development additional reptile surveys shall be carried out at an appropriate time of year and a reptile report submitted to and approved in writing by the Local Planning Authority, including a mitigation strategy in the event that reptiles are found.

Reason: To protect reptiles and their habitats in accordance with Policy ENV16 of the East Herts Local Plan Second Review April 2007.

18. Prior to the commencement of development, reclamation of the site shall be carried out in accordance with RSK Environment Ltd's report 25872/L01.SJ dated 9th November 2012 unless otherwise agreed in writing by the Local Planning Authority. On completion of the reclamation works, the developer shall provide a verification report which confirms that the works have been completed in accordance with the approved documents and plans.

Reason: To ensure adequate protection of human health, the environment and watercourses in accordance with policies ENV20 of the East Herts Local Plan Second Review April 2007 and the National Planning Policy Framework.

19. Prior to the commencement of development, a scheme that includes the following components to deal with the risks associated with contamination of the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented as approved unless otherwise agreed in writing by the Local Planning Authority:

- A site investigation scheme based on the Phase 1 Environmental Risk Assessment HLEI17433/001R dated June 2011 to provide information for a detailed assessment of the risk to receptors that may be affected, including those off-site;
- The results of the site investigation and detailed risk assessment referred to in (a) and based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (b) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

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Reason: To protect groundwater in accordance with policy ENV20 of the East Herts Local Plan Second Review April 2007.

20. No infiltration of surface water drainage into the ground, or piling or other foundation designs using penetrative methods, is permitted other than with the express consent of the Local Planning Authority which may be given for those parts of the site where it has been demonstrated that there is no unacceptable risk to groundwater.

Reason: To protect groundwater in accordance with policy ENV20 of the East Herts Local Plan Second Review April 2007.

21. Prior to occupation of the development hereby approved, noise control measures shall be carried out in accordance with the submitted noise report 12274-R2 dated 28th March 2013 unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenity of future residents in accordance with policy ENV25 of the East Herts Local Plan Second Review April 2007.

22. Development shall not begin until a detailed surface water drainage scheme based on the approved Flood Risk Assessment 120313 rev B dated 7th June 2013 has been submitted to and approved in writing by the Local Planning Authority, and the scheme shall be implemented in accordance with the approved details and completed prior to first occupation. The scheme shall include a restriction in run-off to Greenfield rates and surface water storage on site as outline in the FRA.

Reason: To prevent the increased risk of flooding and to improve and protect water quality in accordance with policy ENV20 of the East Herts Local Plan Second Review April 2007.

Directives:

1. Other Legislation (01OL)
2. Highway Works (05FC)
3. Planning Obligation (08PO)
4. Street Naming and Numbering (19SN)
5. Groundwater protection zone (28GP – insert 'Molewood')

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6. Unsuspected contamination (33UC)
7. Clearance of Vegetation (35CV)
8. In discharging the above conditions, the applicant is made aware of the advice set out in the Environment Agency's letter dated 18th July 2013.

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 (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); the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2012 (as amended). The balance of the considerations having regard to those policies, the pre-application advice given and amendments made is that permission should be granted.

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1.0 Background:

- 1.1 The application site is shown on the attached OS extract and comprises former railway land that has previously been used in part as a waste transfer station and builders' hire centre. The site currently lies vacant and overgrown.
- 1.2 To the south of the site lies the Grade II listed Hertford East Railway Station, to the north lies the former TXU site recently developed as flats and known as Elder Court, with two storey Victorian cottages adjacent, and to the west is the former Council depot site that has been developed as flats and known as The Waterfront. Land to the east also lies vacant and comprises former railway land. A small strip of land along the southern boundary of the site lies within the Hertford Conservation Area.
- 1.3 The application proposes a development of 130 units comprising of 52 no. 1 bed flats, 74 no. 2 bed flats and 4 no. 3 bed houses with associated amenity space and parking provision, and 40% affordable housing. A ground floor commercial unit of 100m² is also proposed in the southwest corner of the site with delivery space on Mill Road. The application also proposes a new 'link road' to connect Mill Road and Mead Lane along with a bus lay-by to provide a transport interchange for Hertford East Railway Station, and a two space car club on Mill

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Road. The density of the scheme is approximately 117 dwellings per hectare.

- 1.4 The scheme has been amended during the course of the application process following concerns initially raised by Officers regarding the scale, layout and design of the proposal, the amount and location of affordable housing units, amenity concerns for future occupiers regarding noise, overlooking and external amenity space, the level of parking provision and uncertainties surrounding a car club. In addition it was necessary to resolve an objection from the Environment Agency relating to drainage and flood risk. The scheme has since been reduced from 140 to 130 flats, the layout has been amended and the blocks have been reduced in height from a mix of 6, 5 and 4 storeys to a maximum of 4 storeys. Further information has been received with respect to the car club and parking provision, and a revised Flood Risk Assessment has been carried out. Statutory consultees and neighbours were therefore invited to comment on the amended documents.
- 1.5 There is further reference to policy matters below. By way of background however, the site forms part of an area identified in the draft Mead Lane Urban Design Framework for redevelopment for predominantly residential purposes.

2.0 Site History:

- 2.1 The northern part of the site was previously used as a waste transfer station and permission was granted in 2000 for a change of use of some additional former railway land to provide an additional storage area for skips (3/00/0142/CM). Permission was then granted by Herts County Council in 2010 for continued use of the site as a waste transfer station (3/10/0244/CM).
- 2.2 The mid part of the site was granted consent for a hire centre workshop in 1996 (3/96/0900/FP), and this is the only building remaining on site. In 1998 an outline application for a retail development of the entire site was submitted but withdrawn incomplete. No further submissions were made to redevelop the site. Conservation Area Consent has recently been granted to demolish the existing structures on site (3/13/0552/LC), although only a very small strip of land to the south of the site falls within the Conservation Area boundary.

3.0 Consultation Responses:

- 3.1 County Highways do not wish to restrict the grant of consent, subject to conditions and a legal agreement. They comment that the site is located

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within a highly accessible and sustainable location and there are no road safety issues on the local road network. The application is supported by a Transport Assessment which shows that the immediate junctions will operate adequately and within their capacity limits. There are some vehicle queuing issues associated with the Ware Road/Mill Road signal junction, which are due to a number of factors, such as the operation of the A414 part-time signal controlled roundabout, the traffic along Ware Road and the traffic travelling to and from the large Tesco store. It should be noted, however, that the traffic from the proposed development is unlikely to have any material impact on this part of the road network.

- 3.2 They comment that there is limited off street parking within the development, and on-street parking control measures will be implemented along the link road. The Highway Authority has no objection to the proposed parking provision; however it is for the Local Planning Authority to consider, as the parking authority. Refuse collection will be from Mill Road, Mead Lane and the link road. The proposals incorporate the provision of a link road through the site which enables the Highway Authority with East Herts Council to develop a passenger transport strategy for the site, and also a new through route. This is consistent with the aspirations of the Hertford and Ware Urban Transport Plan.
- 3.3 The applicant is proposing to provide a 3m wide shared cycleway/footway along the eastern side of Mill Road and the southern side of the Link Road, and a 2m wide footway along the north side of the Link Road. The applicant is also proposing to provide a 3m wide bus lay-by suitable for accommodating two full size buses on the Link Road and the applicant will be establishing a Green Travel Plan to promote alternative modes of transport to and from the site, and the applicant is proposing to provide a car club. The Highway Authority is not seeking any financial contributions as part of this development as the applicant has agreed to provide a Link Road which establishes a through route to the benefit to the local highway network and at no cost to the Highway Authority.
- 3.4 In response to the amended plans, Highways comment that the 2 space car club would reduce the space available for deliveries on Mill Road which will increase the risk of larger vehicles extending beyond the length of the delivery area proposed for the commercial unit and encroaching on the new link road junction. They also comment that the bus layover facility should include a suitably specified bus shelter.
- 3.5 Herts County Council Planning Obligations Unit request fire hydrant

provision and the following financial contributions:

- £87,956 towards Primary Education;
- £47,376 towards Secondary Education;
- £17,878 towards Nursery Education;
- £5,534 towards Childcare;
- £1,212 towards Youth facilities;
- £12,278 towards Library services.

3.6 The Housing Development Manager comments that the scheme proposes 52 affordable units which is in line with policy at 40% provision and the tenure mix is in line with the Council's preferred 75% social rented and 25% shared ownership tenure split. Block B contains 39 affordable units which does not comply with the Council's Affordable Housing Supplementary Planning Document on pepper-potting. Internally she would prefer to see a separate kitchen rather than open plan living for the 2 bed units, and would appreciate some wheelchair accessible units on the ground floor.

3.7 The Conservation Officer initially recommended refusal on the grounds that the mass, scale and design of the development would be out of keeping with the character and appearance of the Conservation Area. She now recommends consent and comments that the revised proposal is at a reduced height and loose courtyard layout resulting in a more comfortable addition to the setting of the adjacent Conservation Area, an approach which overcomes previous concerns regarding mass and scale within the immediate and wider Conservation Area. The style, detailing and decoration of the new development and visual character of the immediate and wider area is interpreted and reflected in a contemporary manner. Whilst it is acknowledged the introduction of a roofscape, as previously suggested would compromise the conscious design as proposed.

3.8 Furthermore it is noted that previous concerns regarding; "*the unit of houses 'Fitzroy', located on the eastern corner of the site is considered out of keeping with the architectural and historic context of the surrounding area.*" have not been addressed. However due to constraints on this piece of land the orientation of the unit is fixed, the scale reflects the unit's function as a focal point and the design has a relationship with the wider development whilst reflective of the detail of the historic character of the surrounding area. In summary the mass, scale and design of the proposed development, is considered in keeping with the character and appearance of the surrounding Conservation Area.

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- 3.9 The Landscape Officer initially recommended refusal on the grounds of the height of the buildings and the limited sunlight to reach the enclosed courtyard gardens. He now recommends consent for the amended scheme and comments that there are some very positive elements to the landscape layout and proposals. The creation of a landscaped open space on the junction of Mill Road/Mead Lane provides visual amenity and softens the general appearance of the overall street scene. The tree, hedge and shrub planting found elsewhere in the street scenes along Mill Road and Mead Lane will also have similar effect. The proposed courtyard gardens are elegant landscape design solutions for the development. The visual impression is one of a designed layout which relates well to the overall geometry of the space(s) between building blocks and has the potential to make a pleasant and attractive open space. The quantity of amenity space provision also appears in reasonable proportion to the overall site when assessing the landscape master plan.
- 3.10 Environmental Health recommend refusal on the grounds that many of the proposed flats will be impacted upon by road traffic noise such that their double glazed windows will need to be installed as unopenable, which means that these flats will need to be ventilated mechanically. They recommend a number of conditions in the event of an approval.
- 3.11 Herts Biological Records Centre agree with the conclusions in the submitted Ecological Solutions report and recommend consent subject to conditions, including additional reptile surveys and the use of native species of trees and shrubs.
- 3.12 Natural England advises that from the information available, the proposal is unlikely to affect bats or great crested newts.
- 3.13 Herts and Middlesex Wildlife Trust comment that the site is not located on or adjacent to a Local Wildlife Site or nature conservation site. They agree with the conclusions of the consultant ecological report and recommend conditions to protect and enhance biodiversity. In response to the amended plans they make no further comment but welcome the inclusion of green roofs.
- 3.14 English Heritage comment that the application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice. In relation to the amended plans they comment that the amendments are unlikely to have significantly different impacts on the natural environment than the original proposal.
- 3.15 The County Archaeologist comments that the site is in Area of

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Archaeological Significance No. 172 which includes the historic core of the town of Hertford. No archaeological remains are known from the site that pre-date the 19th century, though evidence of Saxon occupation and medieval and post-medieval activity is known from the vicinity, and particularly from sites excavated on the opposite side of Mill Road. Areas that have not been subjected to ground disturbance may retain the potential to contain archaeological remains. A condition to secure a programme of archaeological work is therefore recommended. In relation to the amended plans they have no additional comments to make.

- 3.16 The Environment Agency originally objected to the proposal due to the lack of an acceptable surface water flood risk assessment. Following the submission of additional information and an amended Flood Risk Assessment they have removed their objection and now recommend consent subject to conditions.
- 3.17 Affinity Water comments that the site is located within the groundwater Source Protection Zone of Molewood Pumping Station.
- 3.18 Thames Water raise no objection to the sewerage infrastructure and comment that proper provision of surface water drainage is the responsibility of the developer.
- 3.19 The Council Engineers comment that the amended proposals as identified in the revised Flood Risk Assessment and associated drawings show a green roof addition to the development. They consider that this represents a good quality SuDS solution combined as it is with the other SuDS elements at the site. As well as flood risk reduction characteristics, the green roof will provide and enhance amenity/biodiversity environmental improvements and additionally assist with pollution.
- 3.20 Hertfordshire Constabulary are satisfied with the amended plans and suggest that should the development be granted that it is conditioned to achieve full Secured by Design accreditation.
- 3.21 The County Minerals and Waste Team comment that regard should be had to relevant policies of the Herts County Council Waste Core Strategy and Development Management Policies Development Plan Document 2012 that promote the sustainable management of waste including encouraging the re-use of unavoidable waste where possible, and the use of recycled materials where appropriate to the construction.

4.0 Town Council Representations:

- 4.1 Hertford Town Council expressed concern to the initial plans regarding the impact and effect such a development would have on the Victorian properties on Mead Lane. In recent years the Council had been keen to protect the environment of the residents in the original homes on Mead Lane, Marshgate Drive and Spencer Street. The Committee supported the road traffic proposals if they were to have the effect of a clockwise, one way system of traffic management, which it was felt would be to the benefit of the residents. Concern was expressed however regarding speeding traffic on a one way system.
- 4.2 In response to the amended plans, the Town Council continues to fear that a 4 storey development directly opposite the Victorian cottages would damage the amenity of these important buildings. They remain opposed to any development at the site until the Mead Lane access and egress issues are resolved.

5.0 Other Representations:

- 5.1 The application has been advertised by way of press notice, site notice and neighbour notification.
- 5.2 11 no. letters of representation were received in response to the original submission, including Hertford Civic Society and a local action group Transition Hertford, which can be summarised as follows:
- Loss of light and overbearing to neighbouring properties;
 - Insufficient parking provision and road congestion;
 - Traffic problems would make access difficult for existing disabled residents and place vulnerable people at greater risk;
 - Overdevelopment of the site – scale of development is disproportionate;
 - Too many flats in the area – the most densely populated area in town;
 - Further pressure on local school places;
 - Increase in locally reported crime and anti-social behaviour;
 - The site was cleared and all the trees removed;
 - The Car Club will not work – the developers of Elder Court failed;
 - The new access road will do nothing to address access problems;
 - Lack of information on the purpose or viability of the commercial unit;
 - Contrast in design with the two existing large developments;
 - Design appears monolithic;

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- Query whether there will be a pedestrian access to the north of Hertford East Station;
- Query over traffic calming measures and suggestion for speed bumps in Mead Lane;
- Concern over vibration damage to neighbouring properties;
- Bus interchange would be better located on Mill Road opposite the existing bus stop with pedestrians given priority to the station;
- Separate routes should be provided for pedestrians and cyclists;
- The proposal misses opportunities to have a positive impact on biodiversity;
- Poor layout of Block B and overlooking between dwellings;
- The quality of external and internal spaces should not distinguish between market and affordable housing;
- Proposal should achieve Code for Sustainable Homes level 4 as set out in the Mead Lane Urban Design Framework;
- It is unclear from the documents how the traffic would flow, but appears to create flats surrounded by busy roads carrying industrial traffic;
- Impact on setting of Hertford East Railway Station.

5.3 4 additional letters have been received in response to the amended plans raising concerns over inadequate parking despite a reduction in units, concern over traffic movements during peak hours, an overdevelopment of the area, and anti-social behaviour from affordable housing.

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
HSG1	Assessment of Sites not Allocated in this Plan
HSG3	Affordable Housing
HSG4	Affordable Housing Criteria
HSG6	Lifetime Homes
TR1	Traffic Reduction in New Developments
TR2	Access to New Developments
TR3	Transport Assessments
TR4	Travel Plans
TR7	Car Parking – Standards
TR12	Cycle Routes – New Developments
TR13	Cycling – Facilities Provision (Non-Residential)

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TR14	Cycling – Facilities Provision (Residential)
EDE2	Loss of Employment Sites
STC1	Development in Town Centres and Edge-of-Centre
ENV1	Design and Environmental Quality
ENV2	Landscaping
ENV3	Planning Out Crime – New Development
ENV14	Local Sites
ENV16	Protected Species
ENV20	Groundwater Protection
ENV21	Surface Water Drainage
ENV25	Noise Sensitive Development
BH1	Archaeology and New Development
BH2	Archaeological Evaluations and Assessments
BH3	Archaeological Conditions and Agreements
BH6	New Developments in Conservation Areas
LRC3	Recreational Requirements in New Residential Developments

6.2 The National Planning Policy Framework (NPPF) is also a material consideration in determining this application, along with the Hertford and Ware Urban Transport Plan and the draft Mead Lane Urban Design Framework.

7.0 Considerations:

Principle of Development

7.1 The site lies within the built-up area of Hertford wherein there is no objection in principle to new residential or commercial developments. The site is a brownfield site that has been identified for a comprehensive redevelopment through the draft Mead Lane Urban Design Framework. This draft policy document went through public consultation in 2011 and is intended to be formally adopted as a Supplementary Planning Document (SPD); however, this process has been delayed due to resources required for the District Plan. The framework therefore remains in draft form and only limited weight can be assigned to it in the determination of this application. It sets out a vision for the redevelopment of this part of town which has struggled to realise its full potential, mainly due to restricted vehicular access issues, and has the opportunity to create a mixed use environment for the town.

7.2 The Urban Design Framework anticipates that development of this site will be predominantly residential with potential opportunities for a range of other commercial uses. It states that the built form should provide a perimeter block of higher density and result in a clear street structure

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with connection to and overlooking of walking routes. Building heights are expected to vary from generally two and a half storeys to three and a half storeys, and corner locations should provide a focus for longer views so should show attention to detailed design. Public frontages and elevations should reflect themes within the site surroundings and be attractively proportioned and interesting. Main roads should be designed with a strong landscaped structure, as 'green streets' of high amenity. The Framework also proposes a pedestrian/cycle link between Hertford East Station and the National Cycle Route 61 at Hartham Common.

- 7.3 The site is located in close proximity to public transport connections, town centre services and recreational open space, and is therefore deemed to be a sustainable location for development. Redevelopment of this brownfield site is therefore supported in principle through the NPPF and will also make a meaningful contribution towards the Council's housing land supply. The site has not been included in the latest housing land supply calculations (as detailed in the 2011/2012 Annual Monitoring Report) as it was not anticipated to come forward within a 5 year period. These considerations should be given significant weight in the determination of the application.
- 7.4 There is an additional strip of land to the south of the site that remains in the ownership of Network Rail and does not form part of this application. Officers were keen during pre-application discussions for this plot of land to be included within the proposals in order to facilitate a comprehensive redevelopment of the site. However, negotiations with Network Rail have proved unsuccessful and this strip of land therefore remains outside the application proposals. An indicative layout plan has been submitted to indicate a potential future development of this land but does not form part of the planning application. On the basis of this indicative drawing, Officers are satisfied that the proposed development would still enable some modest development of this land for commercial opportunities.

Loss of Employment Site

- 7.5 The site was previously occupied by employment uses including a plant hire depot and waste transfer station. Policy EDE2 states that development that would cause the loss of a site that was last in employment use will only be permitted if the retention of the site for employment use has been fully explored without success. In this case Officers have not been presented with any evidence that the site cannot be retained for employment purposes, and only limited commercial floorspace is proposed as part of the application. However, it is

acknowledged that the previous employment use of the site was only modest in scale and the loss of employment, and weight that should be assigned to it, is therefore not considered to be significant in this case.

- 7.6 Regard is also had to the draft Mead Lane Urban Design Framework which identifies the site for predominantly residential development, with potential for other commercial uses such as retail, restaurant uses and a hotel opposite Hertford East Railway Station. The opportunity for a hotel on the site was encouraged by Officers during pre-application discussions, but the applicant claimed there was no such interest. Although Officers have not been presented with any marketing evidence to confirm these claims, it is acknowledged that the site is identified for a predominantly residential use and it is not considered that the loss of this site for predominantly employment purposes would compromise the economic vitality of the town in accordance with the NPPF given that significant allocated employment areas remain to the east of the site.
- 7.7 A small commercial unit is proposed on the ground floor in the southwest corner of the site fronting the railway station and Mill Road. This will provide an active frontage and serve as a benefit to local residents and workers. On balance, Officers are however satisfied that although the proposal is technically in conflict with the requirements of policy EDE2 and falls short of the objectives of the Urban Design Framework, there are overriding material considerations to justify a loss of employment in this case.
- 7.8 The commercial unit is proposed for retail purposes and will provide a service to local residents and users of the railway station. Policy STC1 states that the preferred location for new retail development is in the town centre, followed by edge-of-centre sites in line with the sequential approach. Such developments will only be permitted where the proposal is consistent with the character and role of the town centre, is accessible by a choice of transport, will provide for effective use of the upper floors, and parking, access and traffic generation are satisfactory. In this case the proposed unit is small and is considered to be located in an edge-of-centre location where it will have no harmful impact on the vitality or viability of the town centre. It is well located in relation to public transport services and will have residential on the floors above. A number of local residents have questioned the need and justification for this retail unit, particularly given the proximity of the site to Tesco, located approximately 120m to the south of the site. However, the need for a mixed use redevelopment of the site and the retention of an element of employment use has been justified above.
- 7.9 Officers consider that it would also be suitable for this commercial unit

to be used for A2 (financial and professional services) or A3 (restaurants and cafes) purposes, and that a more flexible approach is consistent with the aims of the NPPF in supporting economic vitality. Alternative uses may have the potential to impact on residential amenity and it is therefore considered reasonable and necessary to restrict the use of this unit for A1, A2 or A3 purposes only.

Highways and Parking Provision

- 7.10 The application proposes a new link road between Mead Lane and Mill Road, just to the north of Hertford East Station, along with the provision of a bus lay-by to provide a transport interchange. The need for the link road was set out in the Hertford and Ware Urban Transport Plan - (November 2010) and followed the carrying out of a Mead Lane Access Master Plan Study with the aim of seeking to remove HGV traffic associated with Mead Lane from the residential areas, to provide an additional route for emergency vehicles into the Mead Lane area, and enable improved circulation for buses. Although Mead Lane and the northern part of Mill Road are not currently served by a bus route, the link road and bus lay-by will provide a layover point for the local bus routes. The link road is also advocated in the Mead Lane Urban Design Framework and has been encouraged through pre-application discussions with Planning and Highways Officers.
- 7.11 The link road is proposed to carry two-way traffic and is not proposed as a one-way system as suggested by the Town Council. However, it is likely that traffic exiting the Mead Lane area will use this link road, whilst traffic entering Mead Lane is likely to continue to use the existing road layout, enabling a circular movement. A bus-only right turn is proposed from Mead Lane at the north eastern junction of the link road. Overall County Highways welcome the delivery of the link road and support the proposed changes to the highway network and Officers consider this to weigh in favour of the scheme.
- 7.12 The development proposes various other highway works, including the provision of a 2m wide footway on the northern side of the link road, a 3m wide cycle/footway on the southern side with a 3m wide bus lay-by for two buses, a 3m wide shared cycle/footway on the eastern side of Mill Road adjacent to the application site, a pedestrian connection from Mead Lane to the new bus stop, and narrowing of Mill Lane adjacent to the site to 7.3m. Double yellow lines will be provided along the link road to prevent parking. These improvement works have been agreed with County Highways and are considered to be acceptable and in accordance with the Hertford and Ware Urban Transport Plan, and the Mead Lane Urban Design Framework. It is recommended that these

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highway improvement works are secured through a S106 legal agreement. Highways have also requested that a bus shelter be provided at the bus lay-by transport interchange.

- 7.13 The application is supported by a Transport Assessment which shows that the immediate junctions within the vicinity of the site will operate adequately and within their capacity limits. County Highways acknowledge that there are some queuing issues associated with the Ware Road/Mill Road signal junction that are due to a number of factors such as the operation of the A414 part-time signal controlled roundabout, the traffic along Ware Road, and traffic travelling to and from Tesco. However, they comment that traffic from the proposed development is unlikely to have a material impact on this part of the road network.
- 7.14 In terms of parking, a total of 94 parking spaces are proposed across the site, including 47 undercroft spaces at Block A, 35 parking bays for Block B, 8 spaces for the terrace of 3 bed dwellings, and 4 subsidiary parking spaces to the front of the terrace. This represents a total parking ratio of 0.72 spaces per dwelling. The original submission for 140 units also proposed 94 parking spaces and therefore given the reduction in unit numbers, the amended scheme has increased the parking ratio from 0.67 to 0.72 spaces per dwelling.
- 7.15 The Council's adopted maximum parking standards for this proposed development would amount to 185 spaces (including a maximum of 3 spaces for the retail unit). The proposed provision is therefore low in relation to the maximum standards; however it is important to have regard to the sustainable location of the site in relation to Hertford East Railway Station and town centre services and facilities, and the proposed two space car club. No parking is proposed for the retail unit, but this is considered to be acceptable given the sustainable location of the site.
- 7.16 However, the parking provision of 94 spaces compared to a maximum of 185 spaces, with a ratio of only 0.72 spaces per dwelling, is considered to be low. Based on the layout of the parking provision on site (and excluding the parking associated with the terraced dwellings and subsidiary spaces), and assuming that only one space would be allocated for each flat with parking, there would be 44 flats without any allocated parking provision. It is acknowledged that there is no on-street parking in the vicinity of the site, apart from Spencer Street which is at capacity, and new residents would not be eligible to apply for parking permits for the existing resident parking scheme. However, it is still considered that the proposal would result in some overspill and place

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even greater pressure on roads without parking restrictions. The Urban Transport Plan also acknowledges limited parking capacity at the station and that overflow parking is known to impact on surrounding streets.

- 7.17 Regard is also had to neighbouring residential developments, including The Waterfront development to the west of the site which was approved with 1.0 parking spaces per unit, and the Elder Court development to the north which has been constructed with a 0.95 parking ratio (including a new 12 space car park approved under reference 3/11/0217/FP). Elder Court was previously subject to an appeal regarding its parking provision as Members refused consent in 2007 for removal of a sub-basement parking area which would have resulted in a 0.87 parking ratio (reference 3/07/1546/FO). In assessing this appeal, the Inspector had regard to the parking pressures in the vicinity of the site but allowed the appeal subject to the developer providing a 2 space car club. Given that the parking ratio proposed in this application is materially lower than this 0.87 ratio, and given the issues discussed above, Officers consider the provision of a car club to be necessary in this case in order to mitigate against low parking provision.
- 7.18 The developer has contacted five car club operators, of which two were interested in the site, and they now propose a firm commitment to provide a two space car club with Hertz on Demand. The two car club spaces would be located on Mill Road, in close proximity to the bus interchange and the railway station. Highways have raised concerns over the proximity of the car club spaces to the commercial delivery space and the link road junction. The siting of the car club spaces should therefore be controlled through the legal agreement.
- 7.19 The car club is proposed to be accessible to both residents of the new development as well as existing local residents and workers. The provision of a car club in the Mead Lane area has been advocated through the Hertford and Ware Urban Transport Plan and the Mead Lane Urban Design Framework and has therefore been encouraged through discussions with the applicant. Officers now welcome the firm commitment from the developers and recommend that this be secured through a legal agreement.
- 7.20 Members may recall that an application to remove the legal requirement for the Elder Court car club was approved in January 2012 (reference 3/11/0236/SV). This was because the developer had failed to secure a car club operator, and the requirement proved to be unviable. Due to a lack of action by the developer the development had become almost entirely occupied with no car club provision and Officers were therefore

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able to assess that the 0.87 parking ratio was not resulting in any significant parking issues. Further, an application was made concurrently for an additional 12 space car park to the rear of the site (3/11/0217/FP), raising the parking ratio to 0.95, and this was granted consent subject to a financial contribution of £4,000 (index linked) to go towards future car club provision in the Mead Lane area, or other sustainable transport measures. Officers have requested that this contribution be made available to ensure that this current proposal is successful as the car club is proposed not only to serve the future residents, but also the existing residents and local workers.

- 7.21 In terms of cycle provision, 139 cycling parking spaces are proposed to serve the 126 flats which is in excess of the Council's cycle parking standards. These spaces are proposed in secure covered areas and therefore comply with Local Plan policy TR14. 3 no. cycle parking spaces are also proposed to serve the commercial unit and are conveniently located to the front of the building in accordance with policy TR13. The proposal also makes provision for enhancements to cycle connections along Mill Road and the link road.
- 7.22 An initial Green Travel Plan has also been submitted in order to inform future residents of the development about local transport infrastructure and sustainable travel choices. This will include maps of local walking and cycling routes, public transport services, the car club, and measures to promote car sharing. Full details of this Travel Plan should be secured through planning condition in order to promote alternative sustainable modes of transport.
- 7.23 The Hertford and Ware Urban Transport Plan also sets out a requirement for enhancements to the station frontage, including improvements to pedestrian and cycle access. This application does not make any provision for such enhancements, nor do they offer any contribution. However, Officers are satisfied that the proposal incorporates sufficient sustainable transport provision and enhancement through the new link road and associated highway works without requiring any further provision. County Highways have not requested any further financial contributions to mitigate against the impact of the development, and Officers do not consider that further contributions for off-site enhancements meet the tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010.

Scale and Design

- 7.24 The scheme is proposed to take the form of two clusters of blocks around central amenity land with surface car parking in-between, along

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with a terrace of 4 units located at the eastern end of the site. Blocks A1, A2, A3 and A4 to the west of the site will house the market accommodation and have been designed with ground floor parking beneath a raised first floor amenity deck. Blocks B1, B2 and B3 to the east of the site have been designed around a ground level courtyard amenity area with surface car parking located in the centre of the site.

- 7.25 The buildings are proposed to be set back from existing street frontages, with new planting proposed to improve the quality of the street scene. A pocket park is proposed in the northwest corner of the site, at the junction of Mill Road and Mead Lane, and opposite the entrance to the river and Hartham Common. This will make a positive contribution to the character and appearance of the area and create a more welcoming entrance to the town from the river, and a much improved approach to the railway station.
- 7.26 The overall layout of the site has been improved following discussions with Officers – the blocks have been reduced in size and set back further from the street providing for an enhanced street frontage. The development now appears more spacious, and subject to details of a good quality landscaping scheme, is considered to be acceptable and in accordance with Local Plan policy ENV1. Although the central car parking area is large, a good quality landscaping design will break up the visual impact of the hard-surfacing.
- 7.27 The height of the buildings has also been reduced following discussions with Officers. The blocks were initially proposed to be a mix of 4 and 5 storeys with 6 storeys high on Blocks A2, A3 and A5. Officers considered that although there was some potential for higher buildings in the northwest corner facing the entrance to Hartham, 6 storeys was considered to be excessive. Concerns were also raised over the height of the block fronting the modest two storey Victorian cottages on Mead lane.
- 7.28 The development is now proposed to be no more than 4 storeys in height, and Block B3 opposite the cottages has been reduced to three storeys with a pitched roof to provide some interest in the roofscape. The Mead lane Urban Design Framework suggests that building heights will vary from generally two and a half storeys to three and a half storeys in this area. Although the heights exceed this expectation and lack in variation, Officers consider the visual impact to be acceptable and note that the framework also states that “higher density forms will appropriately locate to the western end of Mead Lane on site which are more accessible to Hertford East Station and the town centre.”

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- 7.29 The application also proposes a terrace of 4 no. 4 bed three storey dwellings to be located at the eastern end of the site. The building has been designed to face the Link Road with frontage parking, and rear gardens backing onto railway land to the rear. Officers were initially concerned over the layout and design of this terrace but no amendments have been made to this aspect of the scheme due to other constraints including a gas pipeline running across the front of the site. The building will appear grand and formal in design, but will provide a focal point when approaching down the new link road. Although the three storeys may appear large in relation to the two storey cottages opposite, it will appear in-keeping in scale with the development proposed and given its siting will not appear unduly prominent in the street. Officers therefore consider that although this aspect of the proposal could be improved, it is not harmful in scale or design.
- 7.30 The Conservation Officer is now satisfied that the amended plans provide for a satisfactory form of development that will respect the character and appearance of the Hertford Conservation Area and the setting of nearby listed buildings. Although the external appearance of the buildings appears somewhat repetitive, it is considered that the design is of a high quality, and the loose courtyard layout results in a more comfortable addition to the Conservation Area. Samples of materials of construction will be required to ensure a high quality development.
- 7.31 Officers had previously raised concerns over the lack of a roofscape in the design of the scheme, and only a small section of pitched roof is now proposed in the northeast corner of the site. However, the Conservation Officer considers that the introduction of a roofscape would now compromise the design of the amended scheme. And it is also noted that a number of the flat roofs are proposed as green roofs to provide for sustainable urban drainage.
- 7.32 In terms of crime prevention, Hertfordshire Constabulary have commented that the amended plans now make provision for Secured by Design requirements, and they support the proposal subject to a condition that the development achieve full SBD accreditation. Officers acknowledge the crime prevention measures incorporated into the proposal and consider this to comply with policy ENV3. However it is not considered reasonable, having regard to Circular 11/95, to require that the scheme achieves full SBD accreditation.

Sustainability

- 7.33 The site is in a sustainable location in close proximity to local services,

facilities and employment opportunities. A sustainability Statement has been submitted with the application which sets out the sustainable principles in the design and layout of the site. It is also proposed to incorporate Sustainable Urban Drainage systems (SuDS), including green roofs and permeable paving. Officers therefore consider the proposal to amount to a sustainable form of development in accordance with Local Plan policies SD1 and ENV1.

- 7.34 Officers note that the Mead Lane Urban Design Framework expects new developments in the Mead Lane area to achieve Code for Sustainable Homes level 4 and a Building for Life Code of 14 points or above. However, given that this document has not been formally adopted and there is no further policy support for such specific sustainability requirements, Officers do not consider these requirements to be reasonable in this case in accordance with Circular 11/95 and the Community Infrastructure Levy Regulations 2010. Nonetheless, as a result of requirements applied by the registered providers, it will be necessary for the affordable units to meet Code for Sustainable Homes Level 4.

Noise

- 7.35 An Environmental Noise Survey has been carried out by the applicant in order to assess the impact of existing noise and vibration sources on the proposed development, and to determine the most appropriate acoustic treatment. The report concludes that vibration levels would not be unacceptable, and the Environmental Health Officer is satisfied with this conclusion.
- 7.36 In terms of noise, the report concludes that appropriate glazing can be provided to ensure that minimum reasonable internal ambient noise levels are met (based on British Standard 8233). However, in order to achieve these satisfactory internal noise levels, a number of habitable room windows fronting Mead Lane, Mill Road and the Link Road would have to remain closed, and the report therefore recommends the use of mechanical ventilation.
- 7.37 Whilst the use of mechanical ventilation would address the issue of noise disturbance and provide for an appropriate level of internal noise insulation, the use of mechanical ventilation can have an impact on the amenity of future occupiers. Environmental Health have therefore recommended refusal of the application for this reason, commenting that a number of habitable room windows would need to be installed as unopenable.

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- 7.38 However, Officers note that the windows would be installed as openable, but will be supported by mechanical ventilation so that residents have a choice in terms of ventilation. This is considered to be a reasonable approach in this situation.
- 7.39 Whilst having regard to this recommendation for refusal, Officers also note that there have not been any noise complaints from the existing residential developments fronting Mill Road or Mead Lane, and that this was not raised as an issue in determining these previous applications. Officers also note that much of the noise disturbance is related to day-time commercial traffic movements in connection with the Mead Lane Employment Area. Noise disturbance at night would therefore be less significant. Finally, it is noted that the noise surveys were carried out on the current road layout and do not take account of the proposed link road which will be expected to re-distribute traffic movements. Officers therefore do not consider this issue to justify refusal of the application.
- 7.40 Also acknowledged is the impact that the proposals will have with regard to generating noise on the site, particularly during the construction phase. Of course, whilst it can be intrusive, construction phase noise is ultimately transient.

Affordable Housing

- 7.41 The proposal makes provision for 52 of the 130 units to be affordable, which represents an exact 40% provision in accordance with Local Plan policy HSG3. The affordable units comprise 26 no. 1 bed flats and 26 no.2 bed flats which is considered to be acceptable subject to a tenure mix of 75% social rented and 25% shared ownership to be secured through a legal agreement.
- 7.42 The affordable units are predominantly to be located in Blocks B1, B2 and B3 to the east of the site, with 12 no. shared ownership flats proposed in Block A4 towards the centre of the site. The Council's Affordable Housing SPD requires that on sites incorporating 30 or more residential units, affordable units should be provided in groups of no more than 15% of the total number of units or 25 affordable units, whichever is the lesser. In this case, 77% of the affordable units are proposed in a single cluster in Blocks B1, B2 and B3 and the proposal therefore fails to comply with the SPD which seeks to achieve mixed, inclusive and sustainable communities.
- 7.43 Officers are also concerned that the layout of the site has been designed to differentiate between the market and affordable units. The market housing area in Block A has been designed with ground floor

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parking provision and a raised amenity deck, whilst the affordable housing in Blocks B has been designed with surface parking located to the west of the blocks, and a smaller ground level amenity courtyard.

- 7.44 The Council's Housing Development Manager has raised similar concerns and Officers therefore consider the layout and design of the affordable housing element of the proposal to be contrary to adopted policy and to weigh negatively in the overall balance of considerations. The developer has indicated that it is preferable in management terms for the affordable housing to be provided in one area, and that the cost and design of the raised amenity deck could not be justified for the affordable housing; however these reasons are not considered to outweigh the policy requirements.
- 7.45 In terms of Lifetime Homes, the development proposes 100% provision, which far exceeds the 15% requirement set out in Policy HSG6 and this weighs in favour of the proposal. Other comments raised by the Housing Development Manager, such as internal layouts and the provision of lifts, are noted but are not considered to be in conflict with planning policy requirements.

Heritage Assets

- 7.46 The site lies just to the north of the Hertford Conservation Area with a small section of the south of the site falling within the boundary. The proposal therefore has the potential to impact on the setting of the Conservation Area. The Conservation Officer had recommended refusal of the initial scheme, but is now satisfied that the amended scheme better respects the character and appearance of the Conservation Area.
- 7.47 There are a number of listed buildings located to the south of the site including the Grade II listed Hertford East Railway Station, the former Dolphin public House, Bluecoats further south, and a signal box located to the east of the site. Given the acceptable scale, form and design of the proposal and the distances retained between buildings, the Conservation Officer is satisfied that the proposal will not result in any harm to the setting of these listed buildings in accordance with Section 12 of the NPPF.
- 7.48 The site also lies within an Area of Archaeological Significance which includes the historic core of Hertford town. An Archaeological Desk Based Assessment has been submitted, and this concludes that past ground disturbance has been significant due to previous rail activities; however there is a moderate potential for Anglo-Saxon remains and low potential for all other past periods of human activity. The County

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Archaeologist has commented that the proposal is likely to have an impact on remains of archaeological interest, particularly given known archaeological remains from adjoining development sites. A condition is therefore recommended to secure a programme of archaeological work in accordance with Local Plan policies BH1, BH2 and BH3, and the NPPF.

Residential Amenity

- 7.49 Given the location of the site and distances retained to neighbouring properties, Officers are satisfied that the proposal will not result in undue harm by way of loss of light or overlooking. The overall height of the units is now considered to be acceptable, and the reduced height opposite the two storey Victorian cottages on Mead Lane is now considered acceptable to mitigate against any significant harm. The anticipated dissipation of heavy goods vehicle movements may also improve the amenity for existing neighbouring residents.
- 7.50 In terms of the amenity of future occupiers, it is considered that the internal accommodation proposed would provide for an adequate level of amenity. And externally, sufficient space is proposed as amenity green space. Officers initially raised concerns that the layout and design of the Block B courtyard was too enclosed and would unduly restrict daylight. The amended scheme has widened the gap between Blocks B1 and B3 to allow for increased daylight and improved amenity. Officers now consider this issue to have been addressed.
- 7.51 The units have also been re-designed to minimise overlooking between the flats. Although a number of balconies and terraces are proposed, Officers are satisfied that adequate boundary screening can be secured by condition to prevent any undue harm.

Ecology

- 7.52 An ecological report has been submitted with the application which concludes that the proposal will not result in any harm to protected species. Surveys were carried out in 2011, and again in August 2012. There is an existing building on site which is considered to be unsuitable for use by bats, and there are no trees on site to support roosting bats. The surveys found some evidence of foraging and commuting bat activity, but HBRC, Natural England and the Wildlife Trust have confirmed that no harm would arise to these protected species.
- 7.53 In terms of nesting birds, the existing scrub habitat offers a suitable

habitat for a range of bird species; it would therefore be necessary for site clearance to take place outside of the bird breeding season (i.e. during October-February inclusive) and this could be controlled by directive. Finally, the initial 2011 survey had recorded a solitary juvenile Slow Worm on the southern boundary of the site; however no evidence was found in the latest survey. Nonetheless HBRC recommend that further reptile surveys be carried out prior to the commencement of development, and appropriate mitigation measures implemented. Officers are satisfied that this can be adequately controlled by condition.

- 7.54 Finally, there are no statutory or non-statutory designated sites of nature conservation value within close proximity of the site. The closest is the River Beane and River Lea Confluence Wildlife Site located some 300m to the north with intervening development and waterways to ensure protection. Officers are therefore satisfied that the proposed development will result in no harm to any protected sites or species in accordance with policies ENV14 and ENV16.

Flood Risk and Drainage

- 7.55 The site lies in floodzone 1 wherein there is a low risk of flooding to people and property. However, the development must also make provision for adequate drainage provision in order to prevent any future flooding. The proposal will result in a net increase in the impermeable surface on site, and this could result in surface water flooding in the future. The Environment Agency (EA) objected to the original proposals on the grounds that the submitted Flood Risk Assessment (FRA) failed to demonstrate that sustainable drainage solutions have been incorporated into the scheme.
- 7.56 The applicant has since confirmed that the proposed amenity deck to Block A will serve as a large sustainable drainage facility, and green roofs are proposed to Blocks A1 and A2. A revised FRA and drainage proposals have been submitted which the Environment Agency are now satisfied with and recommend approval subject to conditions. The proposal is therefore considered to comply with Local Plan policy ENV21 and the NPPF.
- 7.57 In respect of foul drainage, there is an existing adopted sewer located in Mill Road, and Thames Water have raised no objection to the development.
- 7.58 In terms of land contamination, initial investigations have been carried out and conclude that remedial works will be required due to the former use of the land as a railway depot. The Environmental Health Officer

has confirmed acceptability of this report subject to a condition requiring reclamation to be carried out in accordance with the report, and the presence of any significant unsuspected contamination being brought to the attention of the Local Planning Authority.

Planning Obligations

- 7.59 Herts County Council have requested standard financial contributions related to Primary, Secondary and Nursery Education, Childcare facilities, Youth facilities, and Libraries. These are considered to be necessary and justified in accordance with the CIL Regulations 2010. No further contributions have been requested by County Highways or are considered to be justified in this case.
- 7.60 Contributions will also be required towards outdoor sport and recreation facilities (£85,506.45), and children's play facilities (£8,221.56) given that the proposal is predominantly residential and will result in increased pressure on existing facilities, in particular Hartham Common and the leisure centre which are in close proximity to the site. In terms of children's play facilities, it is acknowledged that the proposal includes a number of 1 bed flats which are unlikely to accommodate children. This contribution figure has therefore been calculated only the basis of the number of 2 and 4 bed units. These requirements are as set out in the Council's Open Space, Sport and Recreation SPD and are also considered to comply with the CIL Regulations.

8.0 Conclusion:

- 8.1 Overall the redevelopment of this derelict brownfield site for predominantly residential purposes is considered to be acceptable in principle, and will enhance the character and appearance of this part of Mead Lane in accordance with the draft Mead Lane Urban Design Framework. The proposals should be considered in the context of the presumption in favour of sustainable development contained within the NPPF. In that respect officers consider that significant weight should be attached to the benefits of the scheme with regard to housing provision and more particularly that it still achieves the Councils policy aspirations that 40% of units are provided as affordable units.
- 8.2 The application includes provision of a new link road to mitigate vehicular movements in the Mead Lane area. This link road has been advocated in the Hertford and Ware Urban Transport Plan and the draft Mead Lane Urban Design Framework and its delivery is fully supported as it will benefit vehicular movements in the area as a whole. This weighs positively in the balance of considerations. Cycle provision is

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provided between the rail station at Hertford East and toward Hartham Common to the north, again an aspiration articulated in the Design Framework.

- 8.3 The proposals include a requirement for the provision of a car-club, a further element of the scheme that supports and draws on the sustainable location of this development. This would be available to residents more widely and therefore provides a potential benefit beyond the confines of the site.
- 8.4 Lastly, whilst not significant in terms of its overall floorspace, a commercial unit is to be provided as part of the development. Again, this has the potential to provide an enhanced level of amenity for both the potential new occupiers and those existing in the wider area.
- 8.5 The scheme has been amended following discussions with Officers to propose a scheme of reduced height, mass and scale, and the layout has been amended to provide a more spacious form of development. Although the design could be improved through greater variation in roof forms, Officers consider that this would not result in a particularly harmful impact and that the overall layout and design of the site is acceptable. There would be no harm to the setting of the Hertford Conservation Area and the nearby listed buildings.
- 8.6 There are some elements of the proposal to which it is considered that negative weight can be assigned. Whilst the proposal makes provision for 40% affordable housing and 100% lifetime homes, the layout of the affordable housing has not been amended following discussions with Officers and still provides a cluster of affordable housing in Block B contrary to the requirements of the Council's Affordable Housing SPD. Parking provision is limited and the amenity afforded to residents in the new development is likely to be impacted upon by locally generated noise.
- 8.7 Overall then there is a balance to be struck between the harmful and beneficial impacts of the development. Clearly, the currently unused nature of the site and land should not lead to a development proposal being supported regardless. However, given the strong presumption in the NPPF, the circumstances of the Council in relation to land supply for housing and the indisputable sustainable credentials of this site in location terms, it is considered that the balance falls in favour of the proposals. They are therefore, recommended to be approved subject to the legal agreement requirements and conditions.