

## Description of development:

- Erection of up to 2,200 dwellings inclusive of affordable housing;
- green infrastructure, amenity and formal and informal recreation space;
- landscaping;
- development of 2 mixed use local centres on 4.1 hectares of land providing up to 21,000 sq.m. (gross) commercial floorspace (Use Class B1 a, b and c) inclusive of (if required) a maximum of 3,000 sq.m. (gross) for healthcare facilities (Use Class D1), together with retail floorspace (Use Classes A1, A2, A3, A4 and A5) up to a maximum of 1,200 sq.m. (gross), residential development (use Class C3), and the potential for other community/cultural/leisure (Use Class D1 and D2) if required (floorspace to be agreed);
- the potential for an additional 0.5 hectares of land for up to 4,000 sq.m. (gross) commercial floorspace (Use Class B1 a, b and c) if required or for residential purposes (Use Class C3) if not;
- a primary school and associated facilities on 1.25 hectares of land;
- a further primary school on 2 hectares of land with the potential to extend by 1.08 hectares if required or for the expansion land to be used for residential purposes if not;
- 4 new junctions (A120, Hadham Road, Rye Street and Farnham Road);
- estate roads and public transport route;
- footpaths/cycleways;
- site profiling/earthworks;
- a noise bund with barrier;
- a sustainable drainage system;
- utilities services including foul water pumping stations;
- 2 residential garden extensions; and
- the demolition of 221 Rye Street and 164 and 166 Hadham Road.

All matters reserved with the exception of full details of the appearance, landscaping, layout and scale of the residential element of Phase 1 and access for Phases 1 and 2

The description above is as the application was amended following the receipt of revised plans and documents by the Council firstly on 24 September, then 8 October 2013 and finally on 3 March 2014. Further details of the amendments are set out in section 2.0, Summary of Proposed Development.

**Location:** Land at Bishop's Stortford North, Bishops Stortford, Herts.

**Applicant:** Bishop's Stortford North Consortium Ltd and Landowners

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**Date of Receipt:** 10 May 2013

**Type:** Outline – Major

**3/13/0804/OP**

**Parish: BISHOP'S STORTFORD**

**Ward: SILVERLEYS and MEADS**

**RECOMMENDATION**

That, subject to the referral of the application to the Secretary of State under the requirements of the Town and Country Planning (Consultation) (England) Direction 2009

1. In consultation with the Chairman of the Development Management Committee and the Head of Planning and Building Control, the Head of Democratic and Legal Services be authorised to complete a section 106 Agreement in accordance with the heads of terms as set out in Essential Reference Paper A.
2. In consultation with the Chairman of the Development Management Committee, the Executive Member for Community Safety and Environment, any two Members who represent Bishop's Stortford wards and who are members of this committee and the Head of Democratic and Legal Services, the Head of Planning and Building Control be authorised to make amendments to the heads of terms, the scale of financial contributions to be assigned to the various service areas referred to in the heads of terms and the service areas to which financial contributions should be assigned and the Head of Democratic and Legal Services be authorised to complete a section 106 Agreement as may be amended, in all cases to ensure a satisfactory development.
3. Upon completion of the section 106 Agreement in respect of application 3/13/0804/OP, planning permission be GRANTED subject to the conditions set out in Essential Reference Paper B, with amendments to conditions 38-40 to ensure a greater degree of monitoring of the traffic impact. The details of the amended conditions to be agreed in line with the following resolution;
4. In consultation with the Chairman of the Development Management Committee, the Executive Member for Community Safety and Environment plus any two Members who represent Bishop's Stortford wards and who are Members of the Committee, in advance of the issuing of the planning permission, the Head of Planning and Building Control be authorised, to add or remove conditions and directives and make such changes to the wording of them as may be necessary, to ensure clarity and enforceability, and to ensure a satisfactory development.

Summary of Reasons for Decision

East Herts Council has considered the applicants' proposals 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 considerations having regard to all policy considerations, including land supply, is that permission should be granted.

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- B Conditions of planning permission
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- D Main report to 05 December Committee
- E Site history (05 December Committee report ERP C)
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- H Report to 30 January 2014 meeting
- J Additional representation papers submitted to the 5 December 2013 and 30 January 2014 meetings.

**1.0 Introduction**

1.1 In 2013, the applicants, a consortium of house builders, made two outline applications for mixed use development on Areas of Special Restraint 1-4 (ASRs 1-4) and the Special Countryside Area (SCA) at Bishop's Stortford North (BSN):

- Application 3/13/0075/OP is in outline with all matters of detail reserved for later approval apart from access. At the special meeting on 30 January 2014 the Committee approved the application, subject to a referral to the Secretary of State, the completion of a s.106 agreement, and conditions of planning permission. In a letter dated 3 March 2014 the Secretary of State confirmed that he would not call the application in and was content for the Council to make the decision locally.

The s106 agreement currently remains outstanding and Members will recall that there is also the requirement for details of the conditions that relate to traffic monitoring to be further approved by the Chairman, portfolio holder and local Members. Prior to the resolution of these matters the planning application decision has not been released at this stage.

- Application 3/13/0804/OP (being considered in this report) is a hybrid application – with one or two minor changes, it is a duplicate of outline application 3/13/0075/OP, but with the addition of full details of the first phase of the development on ASRs 1-2, identified throughout this report as the western neighbourhood. This is the application Members are now requested to determine.

1.2 A full report on 3/13/0075/OP was first considered by the Committee at its meeting of 5 December 2013. Members considered all relevant issues at length and, ultimately, resolved that the matter be deferred on the basis of one only: that more consideration should be given to the options for vehicular access to the western neighbourhood of the proposed development. Following a meeting on 18 December to consider that matter, the application was referred back to Committee on 30 January 2014. A decision to support the proposals was then made in the light of more information and understanding about the western access options.

1.3 The reports, Essential Reference Papers (ERPs) and additional rep schedules that were considered at the meetings on 5 December 2013 and 30 January 2014 in respect of application 3/13/0075/OP are now appended to this report in the following format in order that Members may remind

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themselves of all the issues that are also relevant to the hybrid application that they are considering now.

- ERP D Main report submitted to the 5 December 2013 meeting
- ERP E Site History
- ERP F Summary of consultation responses relating to 3/13/0075/OP
- ERP G Consultation response from HCC as Highway Authority in relation to 3/13/0075/OP
- ERP H Additional report submitted to the 30 January 2014 meeting of the committee.
- ERP J Additional representation papers submitted to the 5 December 2013 and 30 January 2014 meetings.

- 1.4 The summary of the Legal Agreement as it appeared at the January meeting is included at ERP A. The conditions have been updated since the January meeting, and are included as ERP B. ERP C is a summary of consultation received in relation to these proposals, with the full comments of the Highway Authority in ERP C1.
- 1.5 As indicated, the Committee did not previously resolve to refuse application 3/13/0075/OP and the principle of the development of ASRs 1-4 and the SCA has therefore been established with its approval. The Committee should now focus more on the phase 1 detailed proposals in the application before them.

## **2.0 Site History, description of site and summary of development**

- 2.1 A description of the site and its vicinity, a summary of the development and of the relevant planning history were set out in sections 1.0 – 3.0 of the report submitted to the 5 December 2013 meeting regarding outline application 3/13/0075/OP and ERP E now attached. These sections are equally relevant to this hybrid application, and it remains only to describe the details of phase 1.
- 2.2 Phase 1 comprises ASRs 1-2 which are bounded by the A120, Hoggate's Wood, Dane O'Coys Road, and the playing fields and utilities site at Silver Leys. Excluded from the detailed plans at this stage are:
  - the area for the western neighbourhood centre, which will be sold on to a commercial developer and for which a design code has been submitted (Design Code for Western Neighbourhood Community Hub (addendum)).
  - the site for the 1FE primary school, which will be procured by the County Council;
  - the details of a proposed football club ground and a Neighbourhood

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Equipped Area of Play (NEAP) on Hoggate's Park, green belt land immediately to the west of Hoggate's Wood, for which the principle will be established. Condition 14 will secure the details once a club has been contracted to lease the site and matters raised by Sport England in regard to the pitches have been addressed ;

- and two LEAPs (Local Equipped Areas of Play), again for which the principle will be established and for which details will be secured by condition 15.

2.3 The detailed plans show 857 residential properties, comprising 596 market and 261 affordable homes, (the numbers exclude any flats that might be applied for over the shops in the neighbourhood centre). Included in the number are the dwellings on the area previously shown on application 3/13/0075/OP as being for a possible park-and-ride site, near the Hadham Road access, (see paras. 8.7.43 – 8.7.46 of the attached report of 5 December). The park and ride proposals are not included in this proposal.

2.4 The majority of the homes are detached and semi-detached houses with their own gardens and parking spaces. There are a number of one and two bed apartments however and these, along with some groups of houses, have shared parking arrangements in private courts. The overall parking ratio is 2.26 per dwelling. Engineering drawings indicate that the finished floor level of the proposed dwellings do not vary significantly from the existing levels of the land, most within 0.5m of existing levels.

2.5 Access to phase 1 is via a new roundabout on Hadham Road opposite Hadham Grove, which will also be served by it. The main spine road is a boulevard with roadside swales that initially runs south to north through the middle of the site, and then bears east to the proposed neighbourhood centre and primary school. From there it travels north again to the football ground at Hoggate's Park and on to phase 2 via the gap between Hoggate's Wood and the elevated A120 by-pass. This will also be the route of the new bus service that links the development to the town centre and station.

2.6 There is a hierarchy of other roads serving the Consortium members' individual development parcels. Some separate footpaths and cycle ways are provided, which follow existing mature hedge lines that are to be retained, providing links within the site and beyond. They are to be landscaped and provide off road access to amenity and play areas and the neighbourhood centre, as well as linking into the footpath network beyond the site. The plans show the layout and landscaping of the strategic open spaces largely at the perimeter of the site, but also extending to within the housing areas.

- 2.7 The Consortium members each have two or three development parcels distributed throughout phase 1. Full details have been submitted of all the house types to be used in phase 1, including boundary treatments, and there are a number of drawings that show the resulting street scenes and cross sections. Hard and soft landscaping proposals are shown in detail on layout drawings. The plans also show details of the A120 noise bund and barriers, including landscaping.
- 2.8 As indicated, amendments were made to the application on 24 September 2013, the main ones being as follows:
- Replacement of the park and ride site with houses and flats, including more formal statement architecture at the Hadham Road entrance to the development.
  - Re-routing of the new bus service away from Dane O'Coys Road and around the top of Hoggate's Wood, with pedestrian and cycle links only to Dane O'Coys Road.
  - The potential for an additional 0.5ha of class B1 employment land in phase 2.
  - The potential to enlarge the eastern primary school to 3FE.
  - The potential for a healthcare facility moved from the eastern neighbourhood to the western.
  - The potential for flats to be included above ground floor level in the neighbourhood centres.
  - Revisions to access points, including the retention of trees at the Rye Street access.
  - Changes to road layouts, parking, building locations and landscaping in the phase 1 residential areas.
  - Changes to Hoggate's Park to allow a football club to occupy the land.
  - A more unified architectural strategy across the developers' parcels to improve consistency in look and quality; improvements to the Boulevard architecture and tree planting; and improvements to the Green Lanes and Greenways architecture and landscaping.
- 2.9 Amendments were submitted on 8 October 2013 that included further alterations to the Rye Street access, a second phase trial trench archaeological report, and changes to the Environmental Statement to consider the option of a secondary school in phase 2.
- 2.10 Final amended plans were submitted on 3 March 2014 to show further changes to the layout and quality of architecture at the Hadham Road entrance to the site, to the roundabout and tree planting; further improvements to the layout and architecture of dwellings on Dane



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O'Coys Road; and additional tree planting and landscaping and design details throughout the residential areas.

#### **3.0 Consultation responses and third party representations**

3.1 ERP F attached, as submitted to the Committee meeting of 5 December, is a summary of the consultation replies received in respect of application 3/13/0075/OP. They apply equally to the outline element of the application now under consideration along with the details set out on the additional representation papers. It has sections covering replies from statutory consultees; from local societies; from local residents' associations and campaign groups; and other third party representations and petitions, including individual local residents. The County Highway Authority's response was included verbatim and is now reproduced in ERP G.

3.2 ERP C attached to this report regarding application 3/13/0804/OP includes a summary of consultation replies where they amend previous comments or that relate specifically to this application and the details of the first phase. The County Highway Authority's response to this application is included verbatim in ERP C1.

3.3 ERP C also includes a summary of other third party representations, including local residents.

#### **4.0 District, Town and Parish Council responses**

4.1 Uttlesford District Council comments that their key consideration is the effect on the road network. They do not comment in detail on the Transport Assessment, leaving that to the relevant Highway Authorities, but they do consider a s.106 payment is required to enable improvement to junction 8 of the M11.

4.2 Little Hadham Parish Council has submitted representations in relation to this hybrid application as follows. The Parish Council objects to the planning application. The Council raises concerns in respect of additional traffic and pressure on the A120 and the 'Hadham traffic lights'. Increased traffic will push vehicles onto the surrounding rural road network to the detriment of the villages and highway safety. Concern is leveled at the potential flood risk to Little Hadham and the inadequate levels of secondary education and healthcare. There is a general concern regarding a change in the character of the community of Bishop's Stortford with this amount of growth, and that brown field land should be considered first.

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- 4.3 Stansted Mountfitchet Parish Council objects to the planning application. The Council comments that the supporting data does not adequately demonstrate that the development will be sustainable in terms of the requirements of the residents or the impact on the town and surrounding area. The scale of development and expected number of new residents will result in a harmful impact on traffic congestion within the area and to local services, particularly education. The development will also result in the loss of agricultural land and threaten coalescence with Stansted Mountfitchet, Birchanger and Farnham.
- 4.4 None of the other local Parish Councils or the Bishop's Stortford Town Council have submitted comments relating to this hybrid application. However, comments submitted by the Town and Parish Councils in relation to the first outline application, 3/13/0075/OP are set out in the report attached at ERP D.

### **5.0 Policy considerations**

- 5.1 All policy matters relevant to the outline element of this application, and in particular to the principle of development, are set out in section 7.0 of the report to the 5 December 2013 meeting, attached.
- 5.2 Policies in respect of the details of phase 1 are in the Local Plan, 2007, and include the following saved policies:

SD1	Making Development More Sustainable
HSG3	Affordable Housing
HSG4	Affordable Housing Criteria
HSG6	Lifetime Homes
GBC14	Landscape Character
TR7	Car Parking – Standards
TR12	Cycle Routes – New Developments
TR14	Cycling – Facilities Provision (Residential)
TR17	Traffic Calming
ENV1	Design and Environmental Quality
ENV2	Landscaping
ENV3	Planning Out Crime – New Development
ENV11	Protection of Existing Hedgerows and Trees
ENV16	Protected Species
ENV20	Groundwater Protection
ENV21	Surface Water Drainage
BH1	Archaeology and New Development
BH2	Archaeological Evaluations and Assessments
BH3	Archaeological Conditions and Agreements
LRC1	Sport and Recreation Facilities

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- LRC3 Recreational Requirements in New Residential Developments
- LRC9 Public Rights of Way
- IMP1 Planning Conditions and Obligations

- 5.3 In addition to the above the National Planning Policy Framework is a material consideration in determining this application. Although its policies do not generally deal with detail they do give direction as to what will constitute sustainable development. The government has now also published National Planning Practice Guidance (NPPG) which is relevant to the consideration of the proposals.
- 5.4 The report on 3/13/0075/OP considered the requirements of the NPPF in respect of the need to maintain a five year supply of housing in the District, and the limited weight of existing local plan policies regarding the principle of development. It concluded that taking into account the proposed mitigation, in the absence of demonstrable harm from the proposals, the application could be considered a sustainable development and that permission should be granted. In the absence of any subsequent change to policy in the NPPF, and in the absence of any new matters of principle in the NPPG, or changes to the applicants' proposals, the Committee should now focus on matters of detail.

## **6.0 Other considerations**

### **6.1 Sustainable development and mitigation**

- 6.1.1 The Committee must be satisfied that the planning application meets the NPPF test of being "sustainable development". The chapter in the NPPF headed "Achieving sustainable development" has the following section headings:

1. *Building a strong, competitive economy*
2. *Ensuring the vitality of town centres*
3. *Supporting a prosperous rural economy*
4. *Promoting sustainable transport*
5. *Supporting high quality communications infrastructure*
6. *Delivering a wide choice of high quality homes*
7. *Requiring good design*
8. *Promoting healthy communities*
9. *Protecting green belt land*
10. *Meeting the challenge of climate change, flooding and coastal change*
11. *Conserving and enhancing the natural environment*
12. *Conserving and enhancing the historic environment*

13. *Facilitating the sustainable use of minerals*

- 6.1.2 As a major mixed use urban extension BSN will be shaped by most of these requirements, with the exception of 3, 5 and 13, which are not relevant because of the location and type of development which is being brought forward. The Committee considered the outline application 3/13/0075/OP in this context, and found that, with suitable mitigation and conditions, the proposals could be accepted as sustainable development, (Section 8.0 of the report of 5 December 2013, attached). The same considerations now apply to the details submitted in respect of Phase 1, taking into account the views and recommendations of statutory and other consultees, and the mitigation proposed.
- 6.1.3 In considering mitigation in relation to application 3/13/0075/OP, the Committee had to take into account the constraints on the use of s.106 agreements, including the viability assessment that must be undertaken to establish the size of the funds available for mitigation without rendering the proposals incapable of implementation. The Committee will find the relevant paragraphs at sections 8.1.3 – 8.1.9 of the attached report to the meeting of 5 December 2013, which also the proposed reviews of viability over the life of the development.
- 6.1.4 Although not yet finally settled, since application 3/13/0075/OP was approved, the s.106 terms and the planning conditions have been the subject of further negotiation and clarification with the applicants and the County Council. The Chairman of the Committee and ward councillors have not yet had the opportunity to review any changes as required in the resolution to approve. Therefore, apart from some corrections, the attached ERP A is as seen by the Committee in considering 3/13/0075/OP.
- 6.1.5 The conditions set out in ERP B have been refined and extended to include additional matters relevant to this hybrid application. They have not yet been changed to strengthen the conditions regarding travel plans and traffic monitoring (conditions 38-40 in the ERP B attached) as required by the resolution to approve 3/13/0075/OP. That matter has also yet to be considered by the Chairman of the Committee and ward members and therefore recommendation 3 in this report repeats the requirement.
- 6.1.6 The matters to which the detailed plans relate are grouped under the following headings:
- Urban design

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- Housing
- Highway design and accessibility

### **6.2 Urban design**

6.2.1 The scale of the proposed development and its sensitive landscape setting mean that the approach to its design and landscape treatment needs careful consideration. Having established high level design parameters in the Design Statement in relation to outline application 3/13/0075/OP, it is the role of the Committee to assess now the detailed design of phase 1. At 857 homes this phase is significant in scale and will go a long way to establishing the design approach of the scheme as a whole.

6.2.2 The detailed design has been prepared in the context of the following design documents that have been submitted to the Council:

- Design and Access Statement
- Design parameters for phase 1
- Draft Design Brief for Detailed Residential Design

6.2.3 The underlying design concept put forward by the developers is that of the garden city (or suburb), a set of principles first espoused by Ebenezer Howard<sup>1</sup>, the founder of the Town and Country Planning Association (TCPA), and now endorsed by the Government in the NPPF (para. 52) as a way of achieving sustainable development:

*The supply of new homes can sometimes best be achieved through planning for large scale development, such as new settlements or extensions to existing villages and towns that follow the principles of Garden Cities*

6.2.4 A number of consultation responses also request that the new development reflects the character of existing buildings in Bishop's Stortford, suggesting that the architecture should not be too contemporary or challenging.

6.2.5 The detailed plans of Phase1 as originally submitted included the following structural design features:

- Large open spaces for passive recreation, sport and play, including Hoggate's Wood, Hoggate's Park, Ash Grove, and Farnham Bourne

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1 *"The advantages of the most energetic and active town life, with all the beauty and delight of the country, may be secured in perfect combination"*, Ebenezer Howard, "To-Morrow: A Peaceful Path to Real Reform", 1898

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Park. The housing proposed faces onto open spaces to ensure the public realm is well surveyed and safe.

- The main spine road is a boulevard that connects phases 1 and 2, and which carries the bus route. It has been conceived as a green corridor, with tree planting and swales. There would be some formality and consistency of design in the variety of properties lining the street, which are at a higher density (42dph) than the average for Phase 1 (35dph) to give a stronger frontage to the boulevard. There are several small open spaces along its length.
- Secondary streets serve the residential development, with green lanes and mews roads off. Green lanes are single sided and face onto open spaces or the landscaped bunds, and the mews roads are double sided and more urban in character.
- Phase 1 is bisected by a number of green corridors following the line of existing hedgerows or footpaths. It is an objective to integrate BSN with the existing town through paths and cycle ways, and a new bus service to the town centre, and to allow the rest of the town to access the new parks and open spaces.
- The housing is divided into development parcels. They are arranged with perimeter blocks with public fronts (i.e. facing the street) with secure private backs. They are built close to the front of the plots to create an “active frontage” and maximise rear gardens. Each house builder has been allocated three or more blocks in different parts of the site, which will contribute to the architectural variety across the site and avoid homogenous design.
- The neighbourhood centre is sited in the middle of the phase 1 housing, where it is within easy walking distance for most residents. There are no detailed plans of the centre at this stage, but a Design Code has been submitted that future developers will have to take into account in working up their proposals.
- A primary school sits alongside the neighbourhood centre and is equally as accessible. Again, there are no detailed plans at this stage.
- Whilst the individual house builders have their own basic house types, the Draft Design Brief for Residential Design sets out a framework that would create some consistency across the site and ensure that adjoining development parcels are compatible in architectural style, scale (no more than 12m high) and proportion, and in the palette of

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materials. The suggestions came from a study of well designed buildings elsewhere in Bishop's Stortford (e.g. Windhill and Water Lane).

6.2.6 The plans were referred to a Hertfordshire Design Review Panel, which considered the applications on 2 July 2013. A summary of its conclusions are as follows:

- The principle of significant development in this location was accepted, if density and housing mix were appropriate and the key characteristics of the site respected. However higher numbers of dwellings could be incorporated in some parts of the site.
- More work was needed to ensure the garden city concept was realised.
- The entrances to the development need further design work.
- The layout and design of routes should be improved to assist legibility, orientation and sense of place.
- The panel welcomed the retention of key landscape features but suggested the countryside should be 'brought in' to the development through further greening.

6.2.7 The Conservation and Urban Design officer has also set out some principles to ensure the development achieves a sense of place that reflects Bishop's Stortford's wider character. These are:

- Conserve natural assets
- Create a legible street structure
- Focal points within the plan
- Define streetscape and character areas
- Develop housing typologies for locations
- Local distinctiveness
- Housing mix
- Continuity

#### Urban Design Amendments

6.2.8 Amendments were discussed with the Council in August 2013 in response to these comments. A summary of the subsequent amendments to the scheme follows.

6.2.9 *The Boulevard* The main boulevard has been widened to incorporate 3m wide swales on both sides of the highway and a 1m green strip at footpath level in which more regularly spaced trees can be planted. The boulevard architecture has been extensively reworked to get a consistency of approach between the house builders fronting the road, including a unified elevational strategy. This has created a more formal

and convincing boulevard, which is a prime element in realising the garden city concept. It is also part of the gateway into the site from Hadham Road, and the regularly spaced trees have been extended onto Hadham Road for a short distance before changing to more informal groups.

Future responsibility for the maintenance of the spaces and trees along the boulevard is to be finally established. The reason for uncertainty at this stage is because it has not been confirmed whether the responsibilities of the County Council as the Sustainable Drainage Approval Body will have been implemented by the time development commences. If that is not the case then there will need to be a dialogue with firstly the County Council as Highway Authority or, as a further fallback, the responsibility will be assigned to the Trust which will be set up to deal with the management of the open spaces on the site. This responsibility will be captured in one of these ways.

- 6.2.10 *The Hadham Road access* The opportunity afforded by the deletion of the park-and-ride site next to the entrance has been taken to create a more imposing gateway to the development. The Bishop's Stortford Grove Residents Action Group (BSGRAG) objected to the original housing designs on the basis that they would be "high density parcels of 1, 2 and 3 bedroom unsympathetic dwellings at the front of the site, opposite existing Tudor style 5 bed executive homes." Amended plans now show a two and three storey terrace of town houses on both corners that are mirror images on either side of the boulevard. The elevations are neo-classical in the central blocks, whilst the end blocks that turn the corner have less classical references in order to blend with houses on the boulevard. These are bespoke adaptations of standard house types, which will announce the entrance to the development. However, their success will depend upon good architectural detailing and materials, and appropriate surface and boundary treatment, of which further details are required (condition 6).
- 6.2.11 There is a loss of existing trees and rural hedges at the point of access, also objected to by BSRAG and others, but wide verges on Hadham Road will lead into the boulevard and include the new tree planting mentioned above. It is proposed that, with the agreement of the Highway Authority, the roundabout will be landscaped in a decorative manner. Residents were consulted on the amended plans and no further comments were received, and the Landscape Officer has not objected to the landscaping at the point of access.
- 6.2.12 *Other streets* More tree planting is now shown on the detailed plans of the secondary streets, green lanes and mews roads by incorporating



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build outs, using verges and street corners, and a variety of boundary treatments, including hedges, is proposed. An additional green verge has been introduced to a secondary road that was part of the bus route before the route was diverted away from Dane O’Coy’s Road. One of the two footpaths on some secondary roads has been converted to a verge where they can link the boulevard to the countryside.

- 6.2.13 The surface treatment of the access for the small number of houses facing onto Dane O’Coy’s Road has been made less urban in bound gravel and a rural hedge and post and rail fence will be inserted to separate them from the road. The elevations have been given a rather more rural look. On green lanes, a number of which overlook important open spaces, the quality of the house types has been refined and there is a greater variety in materials. While the design of these homes could have gone further to exploit their excellent location (ie they are still standard house types) the approach in the main looks satisfactory. Finally, some improvements have been made to the design of housing facing the school and local centre.

The comments of the Landscape Officer that “street trees, grass verges and garden hedges are not present in sufficient quantity” to fulfill the applicants’ own garden city brief are noted. However, it is considered that the proposals benefit greatly from the strategic open spaces that are to be incorporated within it. Apart from Hoggates Wood and Ash Grove, existing hedge rows on the site are to form the basis of additional strategic elements of green space that are extend into the housing areas. Linking westwards from the neighbourhood centre to the external green bund will be a further green space within which a LEAP will be located. The perimeter bund provides further opportunity for landscaping along with the significant provision which is to be made along the boulevard.

Whilst further greening can always be welcomed, it is considered that the housing layouts enable the introduction of sufficient street trees and hedge perimeters into the development such that it will aid to assimilate development and there is a variety of provision across the site.

#### Community Safety

- 6.2.14 An additional urban design matter that has been considered is that of community safety. Whilst the security of the dwellings themselves is another matter likely to be included in the Building Regulations, the way in which urban design contributes to safety will remain a planning consideration. In this case the Crime Prevention Design Advisor at Hertfordshire Police has been able to work with the applicants to discourage crime through the use of Secured by Design and Safer

Places principles. These would include having regard for the layout and positioning of homes with regard to parking areas, open spaces and other public areas to encourage natural surveillance. Having suitably influenced the design the Police advisor is satisfied with the submitted plans.

### Conclusions on Urban Design

6.2.15 Overall, and whilst not fully realised, the garden suburb concept has provided an appropriate urban design framework for this large site on the edge of the countryside. Recent amendments to the plans have created a more convincing boulevard, a more distinctive entrance off Hadham Road, and a greater abundance of trees and hedges in the development parcels. In view of the importance of the landscaping of the site in underpinning the garden suburb concept, condition 24 requires that trees that die or are severely damaged are replaced for a period of five years from first planting.

6.2.16 A more fully realised garden suburb concept would have included more small spaces within the residential areas, with homes around village greens, also creating the opportunity for structural planting of groups of trees and for social activity. There would be more grass verges along these streets. However, recognising the constraints inherent in an urban extension carried out by volume house builders, the results are credible. This will be an attractive development offering a variety of well designed spaces and greenways, encouraging walking and cycling, and social interaction.

## **6.3 Housing**

6.3.1 The detailed plans show 857 residential properties, comprising 596 market and 261 affordable homes, which is in line with expectations when the outline application 3/13/0075 was supported. The Committee's attention is drawn to Section 8.2 of the attached report to the meeting of 5 December 2013 which describes the proposed mix of both the market and affordable housing. Affordable housing would be 30.4% of the whole, which is short of the 40% target in the Local Plan. However, with a need for s.106 contributions to a wide range of items of social infrastructure and highways mitigation, it is considered to be a satisfactory compromise. The s.106 agreement provides for reviews of the affordable housing provision as the development progresses, and these will enable adjustments to the mix. Reassessment of viability on completion of phase 1 may make more funds available for a greater percentage of affordable housing in Phase 2.

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- 6.3.2 The report of 5 December 2013 also emphasises the need for a development of this size and flexibility to cater for the needs of an ageing population in various ways, including market housing, and the s.106 agreement requires best endeavours to create communities for the elderly close to the neighbourhood centres. The plans for the hybrid application now under consideration do not include such provision, but the expectation is that it will be made in Phase 2, for which there is a longer lead time for design and marketing.
- 6.3.3 The detailed plans of Phase 1 have enabled the Housing Service to consider exactly what is proposed by way of house types and location, and the dispersal of the affordable housing throughout the site. The plans also show clearly which homes in each development parcel are to be built to the Lifetime Homes standard (30% of both the affordable and market homes).
- 6.3.4 These matters, together with the phasing and delivery of the affordable housing, will be committed to by the house builders through the submission of an Affordable Housing Delivery Plan for each development parcel, as required by the s.106 agreement. All of these arrangements are considered to be suitable by the EHDC Housing Service.
- 6.3.5 The developers' proposals in respect of the sustainability of the housing are described in paras. 8.6.2 onwards of the report of 5 December. It should be noted that the Government has recently announced its intentions for changes to standards following the Housing Standards Review (para. 8.6.5). The outcome is that standards will be greatly simplified and be incorporated, for the most part, in the Building Regulations. Councils will not be able to use the planning process to impose any different standards. This will impact upon, for example, the Council's policies in respect of Lifetime Homes and energy (conditions 31 and 32). This is considered to be an acceptable approach because the Building Regulations are universally applicable and therefore standards will rise overall. The Government intends introducing the necessary legislation in the next 6 months or so. BSN is likely to be affected as a result, but in the meantime control will be applied through the use of conditions.

There are a number of locations throughout the development parcels where changes which are minor in nature are being sought to provide for better relationships between properties, more convenient parking provision and deal with issues such as space for the storage of refuse and recycling receptacles. If Members support the recommendation put forward in this report then authority will be delegated to Officers to attend to all matters of this nature, where they can be practically addressed,

prior to issuing any decision.

Members will be aware of the ongoing requirement on the Council to ensure that an adequate supply of land is available for housing. The delivery of this site already forms a significant element of that supply on which the Council is relying in the next few years. This application enables development of that housing to commence. That element of the proposals must be given significant weight. In addition, the proposals represent a good mix of accommodation types and tenures, formulated to a design and density which is appropriate to the location of the development. This must attract further weight in support of bringing the development forward.

#### **6.4 Highway design and accessibility**

- 6.4.1 In commenting on the BSN applications the overriding concern of the public has been the impact of the development on the roads, and in particular the effect on local roads in the peak hours. The attached report to the meeting of the Committee on 5 December 2013 deals with the matter comprehensively at section 8.7, and the Highway Authority's comments are set out in full in ERP C1. The attached report to the meeting of the Committee on 30 January 2014 had the purpose of considering whether there was an alternative to the proposed roundabout access into the site on Hadham Road. The Bishop's Stortford Grove Residents Action Group (BSGRAG) and others had objected to the roundabout, primarily on traffic grounds, and the Committee meeting on 5 December had deferred making a decision in order to review this one highways issue.
- 6.4.2 Ultimately, the roundabout on Hadham Road was agreed as the best option taking into account in particular the road safety implications of other options. The outcome is that application 3/13/0075/OP was approved with conditions and s.106 terms that would put in place highway works, traffic management, a new bus service and travel planning which, according to traffic modelling, will considerably mitigate the traffic impacts of BSN. There will be additional queuing at peak travel times, but not enough to justify a refusal of planning permission.
- 6.4.3 The Committee's main focus is now the highways arrangements within the site shown on the detailed plans of Phase 1. The character of the roads has been described in the Urban Design section above, and is generally satisfactory, contributing to an attractive environment. The applicants' Transport Assessment says at page 6:

*The site has been designed to take into account sustainable transport*

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*modes, with the internal layout designed primarily for walking trips, and the connectivity to external areas designed for walking, cycling and public transport trips.*

- 6.4.4 For road safety reasons and to give pedestrians and cyclists more consideration, the roads have been engineered to encourage speeds of no more than 20 m.p.h. This involves the installation of build-outs, chicanes, sharp bends, speed tables and a variety of surfaces. The Highway Authority's comments are included in ERP C1, and are supportive of the approach, subject to a small number of amendments where the road design would compromise safety or lead to vehicles damaging the highway. They have recommended conditions to ensure that the details are ultimately fully compliant with standards.
- 6.4.5 The Highway Authority would normally adopt streets that connect as part of the wider highway network, but the development includes a number of mews roads and driveways that are unlikely to meet that criterion.

Members will note that parking provision overall is provided at 2.26 spaces per unit. This is weighted toward the larger and open market properties, those supplied, on average with 2.51 spaces and the affordable units with 1.7 spaces. The comments of the Landscape Officer with regard to the usability of some of the spaces has been noted and Officers have already sought a number of minor changes to layout which seek to ease issues of this nature.

Overall it is considered that the level of parking provision is appropriate to the location of the site, its design principles and the measures that are to be implemented to encourage non private vehicle travel. The level of parking provision will go some long way to ensuring that the unfortunate side effect of more limited parking, street parking congestion and the competition between occupiers for on road parking spaces, will be avoided.

- 6.4.6 In addition to the existing rights of way, newly created footpaths and cycle ways will link the housing with facilities and services at the neighbourhood centres and with schools and open spaces. They also connect to routes into the town centre, Bishop's Park neighbourhood centre, ASR 5, and the surrounding countryside. The s.106 agreement will include a sum of £30,000 for works to cycle ways off site to improve them, and a further sum of £200,000 for improvements, that might include cycle links, in association with the Smarter Choices campaign.
- 6.4.7 NPPG "Design" says at para. 42:

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*The likelihood of people choosing to walk somewhere is influenced not only by distance but also by the quality of the walking experience.*

The Ramblers Association and the Bishop's Stortford and District Footpaths Association have noted that existing rights of way cross the new estate roads at a number of places, including the boulevard bus route and the link road from the new A120 roundabout to Rye Street. They suggest that there should be pelican or pegasus (adapted for horse riders) crossings at these points to ensure the safety of users of the rights of way. They are also concerned regarding the compatibility of the proposed secondary school with rights of way that bisect the area of search for a suitable site and that run adjacent to the proposed playing fields.

- 6.4.8 The only right of way crossing point on the boulevard in Phase 1 is the private drive to Wickham Hall, which is also used by vehicles. The crossing point is shown as a speed table on the detailed drawings, which, in the context of a 20 m.p.h. zone, is normally considered a safe crossing. However, it is adjacent to the proposed primary school site and the neighbourhood centre. There is therefore the potential for a good deal of activity in the immediate locality, and it is therefore proposed that a review is carried out before the school opens in order to see if at that point a pedestrian controlled crossing would be a sensible addition to road safety somewhere in the vicinity.
- 6.4.9 All the other crossing points are in Phase 2 and will be considered in detail as an aspect of that phase, in due course. Similarly, the matter of the secondary school and rights of way will be considered once a decision has been made as to whether the school option is to be taken up by the County Council, and how the site might best be defined and accessed. The Ramblers Association's view is that the proposal to make the public right of way accessible to cyclists is not acceptable, as this will degrade the use for walkers and has safety implications. This view is noted but careful design will minimise any risks.
- 6.4.10 The attached reports regarding application 3/13/0075/OP considered highways issues outside the BSN site very comprehensively and there are no further or outstanding other highways matters to consider in principle.

## **7.0 Summary assessment in relation to Garden City principles**

- 7.1 Whilst the Committee has to consider and determine the outline element of this hybrid application, to all intents and purposes it

duplicates the matters of principle and detailed access arrangements considered previously in respect of application 3/13/0075/OP. The Committee's main focus is therefore the details of phase 1, and they must ensure that the applicants follow through from the principles set out at outline stage in the Design and Access Statement and other guidance they submitted (para. 7.2.2 above).

7.2 In their own guidance, the applicants used the garden city as a design concept and inspiration. The attributes of garden cities as espoused by Howard are not only about design but also the economic, environmental and social factors that today are understood to constitute a sustainable development. His headings, as restated by the Town and Country Planning Association, are used below to assist the Committee to determine whether the proposals meet the tests of a sustainable development.

7.3 *1) Strong vision, leadership and community engagement* The Consortium's vision for BSN has been well articulated in plans and documents. There is good structure to the concept of two neighbourhoods lying either side of a large and established area of green belt woodland and open land to which residents would have access. The proposals include social and economic infrastructure that address very many of the key concerns expressed by local people in consultation – notably, traffic mitigation, including a new bus service; the provision of schools that will accommodate the growth in child numbers; investment in local sports facilities; and the provision of a site for a health centre. The community has also been engaged in the refinement of the plans and proposals for the management of the open areas and community facilities over a period of two or three years.

7.4 *2) Land value capture for the benefit of the community* As a private development this is not directly offered, but through the viability assessment process the developers and the Council have established a s.106 fund and spending proposals that will mitigate the development and also bring benefit to the wider community.

7.5 *3) Community ownership of land and the long-term stewardship of assets* It is proposed to transfer the freehold of the green infrastructure and assets such as a community centre to a community trust to hold and manage, along with a substantial financial contribution. It is anticipated that local residents will be among the trustees, along with local councillors and other relevant organisations.

- 7.6      4) *Mixed-tenure homes and housing types that are affordable for ordinary people* The development includes 30.4% affordable homes across both phases, including affordable rented and shared ownership. Whilst this is lower than the Council's target of 40%, it will nevertheless provide a flow of affordable homes over the life of the development that will contribute to meeting local needs. The market housing will also include smaller two and three bedroom homes, and the s.106 agreement secures wheelchair accessible homes and requires a strategy to incorporate housing for an ageing population.
- 7.7      5) *A strong local jobs offer in the Garden City itself, with a variety of employment opportunities within easy commuting distance of homes* The application includes industrial and business units, shops, offices, a health centre and schools that will offer employment opportunities within walking and cycling distance of residents. The applicants have also agreed to undertake a construction training scheme to assist those who are out of work.
- 7.8      6) *Beautifully and imaginatively designed homes with gardens, combining the very best of town and country living to create healthy homes in vibrant communities* A wide variety of dwelling types and sizes is shown on the submitted plans, and the vast majority have good sized private gardens. Flats have shared communal spaces. There are many good and attractive house types, though the variety and quality is limited by the fact that the applicants are volume house builders for whom standard house types, built to a price, are the essence of the business model. Whilst some more bespoke design solutions would have been desirable, the applicants' approach is appropriate to the number and variety of dwellings that needs be delivered to meet the Council's housing trajectory.
- 7.9      7) *Generous green space linked to the wider natural environment, including a surrounding belt of countryside to prevent sprawl, well connected and biodiversity rich public parks, and a mix of public and private networks of well managed, high-quality gardens, tree-lined streets and open spaces* The development is blessed with a generous amount of existing green belt woodland and open space, and a new area will be created along the Farnham Bourne valley. The boulevard is a strong design feature, together with an abundance of tree planting on the bunds and in the housing developments. There are some disappointments in this regard, and in particular, few open spaces have been created within the parcels of housing to act as a focal point for the community and to create the opportunity for more tree and shrub planting, thus more truly bringing the countryside into the development.



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- 7.10 8) *Opportunities for residents to grow their own food, including generous allotments* An area for allotments or community growing space will be laid out on Dane O'Coys Road and will be transferred to the Community Trust or Town Council to own and manage. Many private gardens are also big enough to permit food growing.
- 7.11 9) *Strong local cultural, recreational and shopping facilities in walkable neighbourhoods* Initially, residents of the first phase will be well served by the Bishop's Park shopping centre (Tesco and others) on the south side of Hadham Road. The new development overall will have two neighbourhood centres that will include shops and other commercial uses, a health centre and community centre, and there will be schools alongside. The scale of facilities has been designed to meet the immediate needs of the new community and has to be balanced against the objective of providing connections to the town centre to support existing shops and other facilities. With an active community trust managing the facilities and charged with developing cultural and recreational opportunities there is every likelihood that a strong community will emerge.
- 7.12 10) *Integrated and accessible transport systems, with a series of settlements linked by rapid transport providing a full range of employment opportunities* The developers are funding a new bus route to link the new residential areas to the neighbourhood centres, the town centre and station.

## **8.0 Conclusion**

- 8.1 Overall, this application shows how the character and scale of development outlined in application 3/13/0075/OP will be realised through the details of phase 1, the Western Neighbourhood. The garden city design concept provides a sustainable framework not only for design and environment but also for the economic and social aspects of development, as outlined above.
- 8.2 The considerable concern on the part of the public regarding the potentially adverse impacts of a development of this scale is acknowledged, but the section 106 agreement and conditions of planning permission secure mitigation across key areas such as traffic and transportation, education, health, sport and leisure, and community

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facilities. Therefore, although some impacts will not be fully mitigated, and the impact of traffic on local roads, is the prime concern, it is not considered that the impacts are severe enough to outweigh the benefits of the proposal, including the significant contribution towards meeting the District's housing targets. Accordingly, it is recommended that permission is granted, subject to the comprehensive list of conditions and the s.106 agreement set out in ERPs A and B.