

## DEVELOPMENT MANAGEMENT COMMITTEE – 25 MAY 2016

<b>Application Number</b>	3/16/0471/VAR
<b>Proposal</b>	Variation of Condition 14 (approved plans) of planning permission 3/13/1375/OP: Full permission for the erection of 180 homes, amenity land for community uses, the creation of one new access onto the A10 and closure of an existing access onto the A10 north of the site, creation of four new accesses onto Ermine Street and the upgrading of one access onto Ermine Street, and the provision of amenity space and associated infrastructure, and in outline with all matters reserved a 50-60 bed care home and sheltered accommodation. Amendments to the layout, mix, and design of the approved residential development.
<b>Location</b>	Land North of The Park Farm Industrial Estate and Freman College, Ermine Street, Buntingford
<b>Applicant</b>	Redrow Homes Ltd
<b>Parish</b>	Cottered
<b>Ward</b>	Buntingford

<b>Date of Registration of Application</b>	9 March 2016
<b>Target Determination Date</b>	8 June 2016
<b>Reason for Committee Report</b>	Major – Variation
<b>Case Officer</b>	Hazel Izod

### **RECOMMENDATION:**

That planning permission be **GRANTED** subject to a variation of the original legal agreement and to the conditions listed at the end of this report.

#### **1.0 Summary**

1.1 This application is for minor material amendments to planning permission 3/13/1375/OP which granted full planning permission for 180 dwellings. The amendments comprise changes to the house types, as well as changes to the layout of the site to accommodate necessary changes to the alignment and width of access roads proposed within the site. Overall Officers are satisfied that the scheme maintains a high quality design and would not appear unduly prominent in its surroundings. Adequate parking and access arrangements remain and no objections have been raised by relevant consultees.

1.2 Concerns have been raised over the change in housing mix with a greater emphasis on 4 and 5 bed market dwellings; however Officers do not consider that a refusal of planning permission on those grounds is justifiable. The proposal also continues to provide for 40% affordable housing with an appropriate mix and tenure.

## **2.0 Site Description**

2.1 The site lies to the north of Buntingford and comprises former agricultural land located in the Rural Area Beyond the Green Belt. To the east of the site lies Ermine Street, and to the west lies the A10. To the south lies No. 7 Ermine Street which has been recently developed with 8 new dwellings. Park Farm Industrial Estate lies further south, with Freman College to the southwest. To the north of the site is further agricultural land with some residential properties fronting onto Ermine Street.

## **3.0 Background to Proposal**

3.1 Full planning permission was granted for a residential development of 180 dwellings on this site under reference 3/13/1375/OP. The site has passed to a new developer, Redrow Homes, who are seeking to make various amendments to the permitted scheme. The developer has sought pre-application advice from Officers in respect of these changes, and has also been in discussions with Buntingford Town Council.

3.2 This application relates only to the residential part of the site. Under reference 3/13/1375/OP, outline permission was also granted for a care home and sheltered accommodation to the south of the site, which is to be developed separately. Land to the west of the site, which includes potential playing fields for Freman College, has been retained by a previous landowner.

## **4.0 Key Policy Issues**

4.1 These relate to the relevant policies in the National Planning Policy Framework (NPPF) and the adopted East Herts Local Plan 2007:

<b>Key Issue</b>	<b>NPPF</b>	<b>Local Plan policy</b>
Housing delivery	Section 6	HSG1, HSG3, HSG4
Design and layout	Section 7	ENV1
Access and parking	Section 4	TR2, TR7

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

## **5.0 Emerging District Plan**

5.1 In relation to the key issues identified above, the policies contained in the emerging District Plan do not differ significantly from those contained in the adopted Local Plan and the NPPF as identified above. Given its stage in preparation, little weight can currently be accorded to the emerging Plan.

## **6.0 Summary of Consultee Responses**

6.1 The Highway Authority raises no objection to the amendments. They comment that there is no obvious highway impact as a result, in terms of safety and capacity. They recommend that all previous conditions remain applicable.

6.2 The Herts Constabulary Crime Prevention Design Advisor raises no objection. However, they encourage the applicant to seek Secured by Design accreditation for the scheme and suggest an informative to encourage this.

6.3 Affinity Water comment that the site lies within the Groundwater Source Protection Zone of Chipping Pumping Station and the works should be done in accordance with the relevant standards and practices to reduce groundwater pollution risk.

6.4 The Housing Team note that the scheme still provides 40% affordable housing with 72 units. This is acceptable and the locations within the site are acceptable. As per the agreed Section 106 they expect the tenure to be 75% affordable rent and 25% shared ownership.

6.5 HCC Planning Obligations request contributions as follows, compared to previous approval (all index linked to PUBSEC 175):

- First Education £380,101 (increased by £43,745)
- Middle Education £317,151 (increased by £44,692)
- Upper Education £330,314 (increased by £54,412)
- Nursery Education £69,891 (increased by £6,368)
- Childcare £27,920 (increased by £3,007)
- Youth Facilities £9,244 (increased by £1,437)
- Library Facilities £31,425 (increased by £1,996)

## **7.0 Town Council Representations**

7.1 Buntingford Town Council advise that their concerns with regards to the original development remain valid, but raise the following additional concerns over the submission:

- Changes to the housing/tenure mix are in conflict with policy HOU1 of the draft District Plan, the Strategic Housing Market Assessment (SHMA), and their own Housing Demand Survey commissioned for the Neighbourhood Plan. The significant increase in 4 and 5 bed houses (83%) will also have an impact on vehicle movements and sustainability;
- Concern that the 2½ storey dwellings sited on the highest part of the site will impact on public views and request a Landscape Visual Impact Assessment and drawings showing slab and ridge heights prior to determination.

7.2 In response to amended plans, they comment that whilst they appreciate the increase in 1-3 bed dwellings on site from 50% to 53%, the SHMA requires that 1-3 bed dwellings constitute 77% of a development. The mix therefore does not comply with the SHMA or reflect local housing need. They welcome the relocation of 3 of the Highgate house types further south and conclude that although the developer has gone some way to address their concerns, they request that the housing mix is further re-visited.

7.3 A late consultation has been sent to Cottered Parish Council and any comments received will be updated to Members at Committee.

## **8.0 Summary of Other Representations**

8.1 5 no. letters of objection raising the following points:

- Number of houses will change the town and inadequate infrastructure;
- Overdevelopment;
- Increased traffic, congestion, parking problems, and danger to pedestrians;
- Query whether this is Green Belt land;
- There should be access through the college for school buses;
- Closure of existing access to the north and diversion through the development creates a rat run and is undesirable;
- Concern over safety of the proposed T-junction onto the A10;

- Reduction in the number of bungalows will have a negative effect on the more rural northern end of the site;
- Query whether Thames Water have agreed arrangements for surface and foul water drainage;
- All previous objections have been ignored.

8.2 Some additional neighbour notifications have been sent out with a publicity expiry date of 25<sup>th</sup> May. Any further comments will be updated to Members at the Committee meeting.

## 9.0 **Planning History**

9.1 The following planning history is of relevance to this proposal:

Ref	Proposal	Decision	Date
3/13/1375/OP	Full permission for the erection of 180 homes, amenity land for community uses, the creation of one new access onto the A10 and closure of an existing access onto the A10 north of the site, creation of four new accesses onto Ermine Street and the upgrading of one access onto Ermine Street, and the provision of amenity space and associated infrastructure, and in outline with all matters reserved a 50-60 bed care home and sheltered accommodation.	Approved	14.10.2015

## 10.0 **Consideration of Relevant Issues**

10.1 This application is for minor material amendments only to the original approval 3/13/1375/OP. The principle of development, sustainability of the site, impact on the town, and wider highway network works will therefore not be re-assessed. This report will focus on changes proposed to the layout, design and housing mix of the development.

10.2 The main changes are as follows:

- Change in all house types from those approved to Redrow heritage house types;
- Amendments to the scale, design and layout of the corner apartment block;
- Changes to the housing mix;
- Changes to the layout of the development, including a re-positioning of the central access road (connecting to the A10), and a re-positioning of the houses to accommodate changes to the road layout, orientation, and width.

Scale, Layout and Design

- 10.3 Many of these amendments have evolved following discussions with Officers and the Highway Authority, and comments have been taken on board by the applicant. Overall, whilst the house types appear to be standard Redrow heritage designs (apart from the Hertford house which has been designed exclusively for this site), Officers are satisfied that the house types chosen reflect design characteristics in the area, and will not appear out of keeping, particularly given that the site sits somewhat detached from existing residential developments.
- 10.4 The designs are considered to be of a high quality, including bay windows, external chimney stacks, brick soldier courses, modest sized dormer windows, gable projections, traditional fenestration, and modest porches. The materials are proposed to comprise of a red stock brick, light render and plain tile roofs. Overall Officers are satisfied that this represents high quality design that will respect local distinctiveness.
- 10.5 In terms of scale, it is acknowledged that a number of the dwellings are larger than those approved with increased footprints and bulkier roof forms. However, Officers consider that the development remains spacious and of a low density that can support such large houses. Furthermore, in comparison to the approved scheme, there is no significant increase in height for the house types.
- 10.6 The frontage dwellings on Ermine Street will maintain a good set-back from the street, and a crescent layout will continue to be screened by new landscaping to maintain a soft and spacious approach to the town. An even greater landscaped buffer will be retained to the northeast of the site.
- 10.7 Officers had raised concerns at the pre-application stage over the house design for Plots 53 and 154 which originally comprised a much

bulkier and prominent building. A bespoke house type (the Hertford) has since been created which does not appear as prominent and will create a focal point at the access to the development. Overall, Officers are now satisfied that the new house types are appropriate in scale, form and design for the site.

- 10.8 The corner apartment block was also the subject of discussion with Officers as it had been increased in height and bulk compared to the approved scheme. Amendments have been made however and the building is now considered to be more appropriate to its setting. Although the building is still proposed to be some 7m wider at second floor level along the eastern elevation, when compared to the approved scheme, the overall ridge height has been reduced by 0.3 metres, and the lower section on the eastern elevation has been reduced by 0.6 metres. The roofs have been hipped, and the gable projections reduced in size. More windows are now proposed at second floor level, but take the form of modest sized dormers cut across the eaves. The building has also been positioned closer to the road to the east and south, but Officers are satisfied that an adequate landscaped buffer will remain, and that the building will not appear unduly prominent. Therefore in comparison to the approved scheme, Officers do not consider the visual impact of this amended corner building to be harmful.
- 10.9 The Town Council had raised concerns over 2½ storey dwellings on the highest part of the site in the northwest. In response to these concerns, the applicant has re-positioned 3 no. 2½ storey dwellings (Highgates) to the lower southern part of the site. There are therefore 11 no. 2½ storey dwellings proposed on site, plus the corner apartment block, and these are now scattered across the middle and southern parts of the site, and not on higher land. The buildings on the highest land to the west are not excessive in height and in fact some are lower in height than those previously approved. Officers are therefore satisfied that the visual impact on this part of the site would not be harmful to the surrounding landscape, and the Town Council have welcomed this amendment.
- 10.10 Concerns have also been raised over a reduction in the number of bungalows – from 40 as approved to 22 now proposed. However, Officers still consider this to represent a good provision of bungalows for those who wish to downsize to single storey accommodation and it is important to note that there is no adopted planning policy requirement the provision of bungalows. Further, the bungalows remain sited to the north of the site and maintain a lower visual impact to assist in the transition between urban and rural. Officers therefore raise no objection to this change.

## Housing Mix

- 10.11 The Town Council have raised a number of concerns regarding the amended housing mix which does not fully conform to draft Housing policy HOU1, the Strategic Market Housing Assessment 2015 (SHMA), and their own Housing Demand Survey commissioned for the Neighbourhood Plan. Members will be aware that the Council does not have an adopted policy in respect of housing mix, and that only limited weight can be given to the draft District Plan given its current stage of preparation, and likewise for the Buntingford Neighbourhood Plan which is at a draft stage. Some regard can be had to the 2015 SHMA as this forms part of the Council's evidence base for the District Plan and has been endorsed by Committee Members. Officers have therefore compared the proposed housing mix to that set out in the SHMA.
- 10.12 The table below compares the proposed housing mix to that previously approved under 3/13/1375/OP, and also to the SHMA. Figures in the SHMA column have been extrapolated from percentages (calculated from Table 76 of the SHMA) to the 180 dwelling scheme, so represent unit numbers, not percentages. The figures may not fully add up due to rounding.

	Market (108)			Affordable (72)		
	SHMA	App	Prop	SHMA	App	Prop
1 bed	6	0	0	14	23	19
2 bed	21	16	10	29	26	29
3 bed	50	40	13	24	23	24
4 bed	24	37	63	5	0	0
5 bed	6	15	22	0	0	0

- 10.13 The main difference highlighted in this table is the significant decrease in 3 bed market houses within the current scheme, and the associated increase in 4 and 5 bed houses compared with the previous approval.
- 10.14 Compared to the SHMA, the proposed scheme offers 37 fewer 3 bed market units, with 39 more 4 bed and 16 more 5 bed market units. Whilst it is accepted that this housing mix is not in line with the Council's latest evidence base set out in the SHMA, it is noted that the affordable provision is broadly in line with it, and it is also material to note that the developer would not construct the larger properties if there was not a market demand for them in the area. Redrow have confirmed that they have investigated the local housing market to inform the housing mix and are committed to delivering housing on this site. Redrow have also changed 5 of the 4 bed units to 3 beds following concerns raised by the Town Council. The proposal now makes



provision for 53% of the units to be 3 bed or less. However the Town Council have pointed out that the SHMA indicates that 77% of the units should be 3 bed or less and in this regard the proposal is not compliant with housing need.

- 10.15 It is your Officers' view, however, that whilst some weight can be attached to the SHMA figures, the proposed housing mix would not result in such harm as to justify a refusal of planning permission. The proportion of 4 and 5 bed units is not considered to be excessive for this edge of town site, and changes made by the developer to the 3 and 4 bed mix have been welcomed. It is also material to note that the SHMA data is based on 26% affordable housing provision, and if the developer were expected to conform with this housing mix then they may suggest an associated reduction in the provision of affordable housing to that lower SHMA figure. Members are therefore advised that Officers do not consider a refusal on these grounds to be justified in planning policy terms.

#### Affordable Housing

- 10.16 Significant positive weight is given to the proposed provision of 40% affordable housing in this case, with a housing and tenure mix that is largely reflective of the SHMA. The Housing Officer supports this proposal and this weighs in favour of the application. The application proposes a tenure mix of 75% social rented and 25% shared ownership which is in accordance with local requirements. Officers are also satisfied that the housing is well distributed across the site. Although still in clusters for management purposes, none of these clusters is considered to be excessive.

#### Access and Parking

- 10.17 There are very minor changes proposed to the siting of the main vehicular access point, and the width and alignment of estate roads. The main change is a re-positioning of the central access road which connects to the A10 in order to follow the line of an existing extant highway route (named Throcking Lane). The developer has been in discussions with the Highway Authority to address these points. Access roads and footpaths have also been amended in width and alignment to satisfy Highway requirements, and this has required a re-positioning of the dwellings.
- 10.18 No objection has been raised by the Highway Authority, and Officers are satisfied that safe access and visibility remains. Although the increase in 4 and 5 bed units compared to the previous scheme may

result in an increase in traffic generation, Officers are satisfied that this would not be significant or result in severe harm to the highway network.

- 10.19 In terms of parking, the majority of units have been allocated 2 parking spaces, plus garages for the market units. The 2 bed bungalows to the north of the site have 1 frontage parking space, plus an integral garage. The total parking provision equates to 521 spaces for the 180 units, which exceeds the Council's current and draft parking standards (see table at the end of this report). Garage spaces have been included in the provision as they are of a generous size and exceed the minimum space standards set out in the Council's adopted Vehicle Parking Provision at New Development Supplementary Planning Document. The proposal therefore remains in accordance with policy TR7.

#### Residential Amenity

- 10.20 There are no neighbouring dwellings to be affected by this proposal. There is sufficient spacing to the new development at 7 Ermine Street to the south, and a well landscaped buffer to dwellings to the north. The revised layout also proposes adequate internal and external amenity space for each unit. It is considered reasonable and necessary, however, to require by condition that all first floor flank bathroom and dressing room windows be obscure glazed in order to prevent harmful overlooking between adjacent units.

#### Planning Obligations

- 10.21 Given the change in housing mix, amendments will be required to the Section 106 Agreement in respect of planning obligations and a Deed of Variation is therefore required. HCC have confirmed the revised figures which are significantly higher than those previously approved due to the change in housing mix from 3 to 4/5 bed market units. These are considered to be reasonable and necessary in accordance with the CIL Regulations.

### **11.0 Conclusion**

- 11.1 In conclusion, Officers are satisfied that the amended house types, layout, and design of the scheme does not compromise the original approval and maintains a high quality scheme that will deliver much needed housing. The proposal is therefore considered to comply with Local Plan policy ENV1 and design guidance set out in the National Planning Policy Framework.

- 11.2 Concerns regarding the housing mix are noted – in particular the reduction in 3 bed market houses in lieu of 4 and 5 bed market houses, and it is acknowledged that this does not conform to the housing mix set out in the SHMA. However, the SHMA housing mix only carries some weight and has not been adopted into planning policy. Further, there is no evidence of harm associated with the proposed mix, which Officers consider to be appropriate for this edge of town spacious site. Finally, Members are advised that if the developer is required to follow the mix set out in the SHMA, that document only calls for a 26% provision of affordable housing whereas this scheme proposes 40%. On balance, therefore, Officers do not consider a refusal in terms of housing mix to be justified in planning policy terms.
- 11.3 Amendments to the highway layout and parking provision are also considered to be acceptable, and no harm would arise to any neighbouring occupiers.
- 11.4 The application is therefore recommended for approval subject to the conditions listed below, and a Deed of Variation legal agreement. Conditions are repeated where appropriate from the original permission as this would constitute a fresh permission.

### **Legal Agreement**

- A Deed of Variation is required in order to tie this permission in with the signed Section 106 Agreement for 3/13/1375/OP.

### **Conditions**

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

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

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

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

3. Prior to any building works above ground and up to and including slab-level being commenced, the external materials of construction for the building hereby permitted shall be approved in writing by the Local Planning Authority and the development shall thereafter be

implemented in accordance with the approved materials.

Reason: In the interests of the appearance of the development, and in accordance with policy ENV1 of the East Herts Local Plan Second Review April 2007.

4. Prior to any building works above ground and up to and including slab-level being commenced, details of facilities to be provided for the storage and removal of refuse from the site shall be submitted to and approved in writing by the Local Planning Authority, and the development shall be carried out in accordance with the approved details.

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

5. Details of any external lighting proposed in connection with the development, shall be submitted to and approved in writing by the Local Planning Authority prior to any building works above ground and up to and including slab-level being commenced, and no external lighting shall be provided without such written consent. The development shall then be carried out in accordance with the approved details.

Reason: In the interests of the visual amenities of the area, and in accordance with policy ENV23 of the East Herts Local Plan Second Review April 2007.

6. Prior to any building works above ground and up to and including slab-level being commenced, full details of both hard and soft landscape proposals shall be submitted to and approved in writing by the Local Planning Authority. These details shall include, as appropriate: (a) Proposed finished levels or contours and ridge heights (b) Car parking layouts (c) Other vehicle and pedestrian access and circulation areas (d) Hard surfacing materials (e) Minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting) (f) Planting plans (g) Written specifications (including cultivation and other operations associated with plant and grass establishment) (h) Schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate (i) Implementation timetables. Thereafter the development shall proceed in accordance with the approved details.

Reason: To ensure the provision of amenity afforded by appropriate landscape design, in accordance with policies ENV1, ENV2 and ENV11 of the East Herts Local Plan Second Review April 2007.

7. A schedule of landscape maintenance for a minimum period of five years for the site shall be submitted to and approved by the Local Planning Authority and shall include details of the arrangements for its implementation.

Reason: To ensure the provision of amenity afforded by the proper maintenance of existing and/or new landscape features, in accordance with policy ENV2 of the East Herts Local Plan Second Review April 2007.

8. Prior to any building works above ground and up to and including slab-level being commenced, detailed drawings showing the works required for the closure of the existing access off the A10, measures to prohibit vehicular traffic from this access, and details of soft landscaping to reinstate the highway verge all be submitted to and approved in writing by the Local Planning Authority. The works shall not commence until a Traffic Regulation Order for the above works has been promoted and obtained by the Highway Authority.

Reason: In the interests of free and safe flow of traffic.

9. Prior to any building works above ground and up to and including slab-level being commenced, detailed plans showing the new access with the A10 shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority, and the development shall be carried out in accordance with the approved details.

Reason: To ensure the access is constructed to current standards and the Highway Authority's satisfaction.

10. Prior to occupation of the 90<sup>th</sup> dwelling of the 180 dwellings hereby approved, the internal bus stops, turning facility and other bus-related infrastructure, as well as the Ermine Street footway link and cycleway provision, traffic calming measures and gateway feature, shall be completed in accordance with details to be submitted and approved in writing by the Local Planning Authority and made fully operational.

Reason: To ensure suitable sustainable transport facilities are in place for residents

11. Details of the proposed works to existing footpath 035 and measures to protect users of footpath 035 along the south west boundary of the site through the construction process, shall be submitted to and approved in

writing by the Local Planning Authority. The works shall be completed and made available for use prior to occupation of the 90<sup>th</sup> dwelling of the 180 dwellings development hereby permitted.

Reason: In the interests of public safety and good pedestrian connections.

12. The development shall be carried out in accordance with the programme of archaeological work approved under reference X/16/0035/CND for 3/13/1375/OP unless otherwise agreed in writing by the Local Planning Authority. This condition will only be considered to be discharged when the Planning Authority has received and approved an archaeological report of all the required archaeological works, and if appropriate, a commitment to publication has been made.

Reason: To secure the protection of and proper provision for any archaeological remains in accordance with policies BH2 and BH3 of the East Herts Local Plan Second Review April 2007.

13. All existing trees and hedges shall be retained, unless shown on the approved drawings as being removed. All trees and hedges on and immediately adjoining the site shall be protected from damage as a result of works on the site, to the satisfaction of the Local Planning Authority in accordance with BS5837: 2012 Trees in relation to design, demolition and construction, for the duration of the works on site and until at least five years following contractual practical completion of the approved development. In the event that trees or hedging become damaged or otherwise defective during such period, the Local Planning Authority shall be notified as soon as reasonably practicable and remedial action agreed and implemented. In the event that any tree or hedging dies or is removed without the prior consent of the Local Planning Authority, it shall be replaced as soon as is reasonably practicable and, in any case, by not later than the end of the first available planting season, with trees of such size, species and in such number and positions as may be agreed with the Authority.

Reason: To ensure the continuity of amenity afforded by existing trees and hedges, in accordance with policies ENV2 and ENV11 of the East Herts Local Plan Second Review April 2007.

14. Foul water drainage works shall be carried out in accordance with the drainage strategy approved under reference X/16/0132/CND for 3/13/1375/OP unless otherwise agreed in writing by the Local Planning Authority. No discharge of foul or surface water from the site shall be accepted into the public sewer until the drainage works referred to in

the strategy have been completed.

Reason: To ensure sufficient drainage capacity to cope with new development and to avoid adverse environmental impacts in accordance with policy ENV20 of the East Herts Local Plan Second Review April 2007 and Section 11 of the National Planning Policy Framework.

15. Surface water drainage works shall be carried out in accordance with details approved under reference X/16/0132/CND for 3/13/1375/OP unless otherwise agreed in writing by the Local Planning Authority, and the approved scheme shall be implemented prior to first occupation of the development hereby approved.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity in accordance with policies ENV20 and ENV21 of the East Herts Local Plan Second Review April 2007.

16. The development hereby permitted shall not begin until a scheme to deal with contamination has been submitted to and approved in writing by the Local Planning Authority, and until the measures approved in that scheme have been fully implemented. The scheme shall include all of the following measures unless the Local Planning Authority dispenses with any such requirement specifically in writing:

1. A site investigation scheme, based on the details in the submitted Delta-Simons Phase 1 Environmental Assessment Report (project no. 13-0458.01) shall be carried out to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site;
2. The results of the site investigation and detailed risk assessment referred to in (1) 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;
3. 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 (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Reason: To minimise and prevent pollution of the land and the water environment and in accordance with policy ENV20 of the East Herts Local Plan Second Review April 2007 and Section 11 of the National

Planning Policy Framework. A pre-commencement condition is necessary to ensure that no harm arises to people or the environment.

17. The development hereby permitted shall not be occupied until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include a plan (a 'long term monitoring and maintenance plan') for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To protect groundwater from contamination in accordance with policy ENV20 of the East Herts Local Plan Second Review April 2007 and Section 11 of the National Planning Policy Framework.

18. No infiltration of surface water drainage into the ground at this site is permitted other than with the express written 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 resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details.

Reason: To protect groundwater from contamination in accordance with policy ENV20 of the East Herts Local Plan Second Review April 2007 and Section 11 of the National Planning Policy Framework.

19. Piling or any other foundation design using penetrative methods shall not be permitted other than with the express written 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 resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To protect groundwater from contamination in accordance with policy ENV21 of the East Herts Local Plan Second Review April 2007 and Section 11 of the National Planning Policy Framework.

20. The development hereby approved shall be carried out in accordance with the recommendations contained within paragraph 4.2 of the submitted Ecology Report dated 28 September 2012, unless otherwise



agreed in writing by the Local Planning Authority.

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

21. No part of the development shall be occupied until the access, junction, road and parking arrangements serving that part of the development have been completed in accordance with the approved drawings and constructed to the specification of the Highway Authority.

Reason: To ensure the provision of appropriate access and parking for the development in the interests of highway safety and convenience.

22. A detailed Travel Plan shall be submitted for written approval by the Local Planning Authority prior to first occupation of the development hereby approved. The Travel Plan shall make provision for relevant surveys, review and monitoring mechanisms, targets, additional mitigation measures, timescales, phasing programme and on-site management responsibilities. The plan shall be implemented and subject to regular review in accordance with the above approved details.

Reason: To promote the use of non car modes of transport in accordance Policy TR4 of East Herts Local Plan Second Review April 2007.

23. Prior to the commencement of development, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority and shall include details of:
- a. Phasing of the development – including internal access junctions from the public highway, off-site highway infrastructure improvements (roads, footpaths and cycleways), and the delivery of on-site and off-site public transport infrastructure)
  - b. A programme of works on site
  - c. Areas of construction vehicle parking, storage and delivery of materials within the site
  - d. Construction vehicle wheel washing facilities
  - e. Details of construction vehicle routing to and from the site.  
The development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To minimise impact of construction process on the local environment and local highway network. A pre-commencement

condition is necessary to ensure highway safety measures are in place before works commence.

24. In connection with all site demolition, site preparation and construction works, no plant or machinery shall be operated on the premises before 0730hrs on Monday to Saturday, nor after 1830hrs on weekdays and 1300hrs on Saturdays, nor at any time on Sundays or bank holidays.

Reason: To safeguard the amenity of residents of nearby properties, in accordance with policies ENV1 and ENV24 of the East Herts Local Plan Second Review April 2007.

25. Measures for the minimisation, recycling and disposal of waste materials shall be implemented in accordance with the Site Waste Management Plan approved under reference X/16/0132/CND for 3/13/1375/OP unless otherwise agreed in writing by the Local Planning Authority.

Reason: To accord with Hertfordshire Waste Core Strategy and Development Management Policies DPD 2012.

26. All first floor flank bathroom and dressing room windows shall be fitted with obscured glass and shall be permanently retained in that condition.

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

### **Informatives**

1. Other Legislation (01OL1)
2. Highway Works (05FC)
3. Planning Obligation (08PO)
4. Public Rights of Way (18FD)
5. Street Naming and Numbering (19SN)
6. Unsuspected contamination (33UC)
7. Protected Species (36PS)
8. Groundwater protection zone (28GP) – insert ‘Chipping’

## 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 2015. The balance of the considerations having regard to those policies and permission 3/13/1375/OP is that permission should be granted.

**KEY DATA****Residential Development**

<b>Residential density</b>	<b>10.3 units/Ha</b>	
	Bed spaces	Number of units
Number of new flat units	1	11
	2	7
	3	0
Number of new house units	1	8
	2	32
	3	37
	4+	85
Total		180

**Affordable Housing**

<b>Number of units</b>	<b>Percentage</b>
72	40%

**Residential Vehicle Parking Provision**

Current Parking Policy Maximum Standards (EHDC 2007 Local Plan)

Parking Zone	4	
Residential unit size (bed spaces)	Spaces per unit	Spaces required
1	1.25	23
2	1.50	58
3	2.25	83
4+	3.00	255
Total required		419
Proposed provision		521

Emerging Parking Standards (endorsed at District Plan Panel 19 March 2015)

Parking Zone	4	
Residential unit size (bed spaces)	Spaces per unit	Spaces required
1	1.50	28
2	2.00	78
3	2.50	92
4+	3.00	255

Total required		453
Accessibility reduction	<i>75-100%</i>	
Resulting requirement		339-453
Proposed provision		521