

DEVELOPMENT MANAGEMENT COMMITTEE – 14 SEPTEMBER 2016

Application Number	3/16/1228/FUL
Proposal	Demolition of existing building and erection of 6 storey residential development of 14 apartments, ground floor licensed cafe and basement parking.
Location	Elbert Wurlings, Pegs Lane, Hertford. SG13 8EG
Applicant	Mr Eugene Flannery / T Shipton Investments Limited
Parish	Hertford CP
Ward	Hertford Castle

Date of Registration of Application	27 May 2016
Target Determination Date	16 Sept 2016
Reason for Committee Report	Major planning application
Case officer	Tim Hagyard

RECOMMENDATION:

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

1.0 Summary

- 1.1 The proposal is for the erection of 14 apartments with ground floor café to replace a vacated public house and nightclub building, the Elbert Wurlings. A 1960's office block, Sovereign House, adjoining the site has recently been demolished following the grant of planning permission for 83 dwellings, and more recently the McCarthy and Stone scheme (3/16/0115/FUL) for 24 Sheltered Units and 57 Assisted Living Units which was approved for that site by the committee in May this year.
- 1.2 The redevelopment of this corner site is welcomed in principle, as part of the wider redevelopment of the Sovereign House block between Pegs Lane and Wesley Avenue. There is no objection in principle to the development which provides much needed new housing and a replacement commercial / service use with employment.
- 1.3 The layout makes best use of the site as a consequence of agreement on a land exchange between the adjoining landowner parties. The scale and design of the buildings is considered to be well integrated and related to the approved scheme being implemented by McCarthy and Stone on the adjoining site. The development provides for basement car parking and cycle parking and will also deliver public realm enhancement at the site.

- 1.4 The neighbour impacts, highways, drainage and parking provisions of the development are considered to be satisfactory subject to the proposed conditions.

2.0 Site Description

- 2.1 The site currently comprises a 2 - 3 storey building on a small corner site measuring approx. 650 sqm. The land slopes down to the north. The site is at a prominent corner location on the southern approach into Hertford.
- 2.2 The vacated pub dates from the post war era and abuts on two sides the, now cleared, Sovereign House site. It includes an ancillary 3 bedroom flat on the top floor. Opposite, to the North West, are more modern flats at Pimlico Court; Richard Hale School lies to the south. The site is at the junction of Pegs Lane and Hale Road, next to the entrances to Bentley House and the East Herts Wallfields offices. The location is a busy interchange on a popular walking route towards the town centre.
- 2.3 The site is within the Hertford Conservation Area.

3.0 Background to Proposals

- 3.1 The application proposes the demolition of the public house and erection of a significantly taller mixed use building with a café (134sqm) and external terrace at ground level, basement parking and 5 storeys of residential above. The accommodation comprises 13 x 2 bedroom apartments and a further 3 bedroom apartment at the roof level. Redevelopment of the site for a mixed use scheme, at a similar scale, was previously granted permission in 2004 but lapsed.
- 3.2 The plans indicate public realm works around the site including Pegs Lane which will be subject to Highways approval and are already a condition of the approved McCarthy and Stone scheme.
- 3.3 The proposed development is a storey higher than the approved elevations for McCarthy and Stone to Hale Road and Pegs Lane. The top floor is designed as a recessed attic / roof floor and with a garden roof as well as green roofs. The café entrance is placed centrally to the corner within the frontage and the access to the flats placed to the right. Vehicle access is via a ramp from Pegs Lane to the basement parking for 14 cars. Cycle parking for residents and staff is also proposed.

- 3.4 When considering the detailed design of the development on the Sovereign House site, Officers have been keen to ensure the redevelopment of the Elbert Wurlings site and the agreement of parties has helped ensure a close integration of the design and layout to fulfil this objective.

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:

Key Issue	NPPF	Local Plan policy
Principle of development. Housing Delivery.	Section 6	HSG1
Loss of public house / employment	Section 1	STC8 EDE2
The layout, design and external appearance of the proposed building	Section 7	ENV1, ENV2
Highway implications/parking	Section 4	TR2, TR4, TR7
Neighbour impact		ENV1
Section 106 provisions		IMP1

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. There is a draft designation of an employment area for the site, however given its stage in preparation, little weight can currently be accorded to the emerging Plan.

6.0 Summary of Consultee Responses

- 6.1 HCC Highway Authority has no objections but has recommended conditions and advisory notes.
- 6.2 Lead Local Flood Authority (LLFA) has withdrawn its objection on flood risk grounds following receipt of a satisfactory drainage strategy. The

water drainage scheme is feasible. Conditions are needed to provide for implementation and maintenance.

- 6.3 Environment Agency has no comments on the application.
- 6.4 EHDC Engineering Advisor notes that the site is in Flood Zone 1 and has no record of flooding incidents. The provision of green roofs will provide SuDs benefits of reduced flood risk, decrease pollution and provide amenity and biodiversity gains.
- 6.5 Thames Water has no objection on grounds of sewerage infrastructure. A piling method statement is requested and the applicant is advised on the need for a Groundwater Risk Management Permit, Grease Fat Traps for catering establishments and the presence of public sewers in the vicinity of the site.
- 6.6 EHDC Housing Development Advisor comments that no requirement for affordable housing is triggered in this case
- 6.7 EHDC Conservation and Heritage Advisor supports the proposal as it will significantly enhance the character and appearance of the Conservation Area. There has been extensive pre-application advice given and the site is one that needs redevelopment. The scale and massing will complement the development on the Sovereign House site and the design will provide a strong character for the corner site. Works to the public realm including new paving and removal of railings will enhance the site.
- 6.8 HCC Historic Environment Adviser has no objection. The scheme is unlikely to have an impact on heritage assets and no conditions are requested
- 6.9 EHDC Landscape Advisor has no objections. He requests a coordinated approach to hard landscaping with McCarthy and Stone and details of the roof garden.
- 6.10 HCC Development Services have advised that they will not seek Section 106 obligations in this case due to the CIL regulations and restrictions on the pooling of funds.
- 6.11 HCC Minerals and Waste do not object. They would be happy to comment on a Site Waste Management Plan.
- 6.12 EHDC Environmental Health Advisor has no objections to the proposal and advises informatives for unsuspected contamination and asbestos.

6.13 EHDC Environmental Services set out requirements for the size and facility of bin stores including a separate facility for the café. They are happy with the access provisions.

6.14 Herts Fire and Rescue Service neither supports nor objects to the proposal but advises that the development will need to comply with Building Regulations e.g. for access and hydrants.

7.0 Town Council Representations

7.1 Hertford Town Council welcomes the redevelopment in principle but would prefer a bolder design statement for such a key position on the approach into Hertford. They raise a concern that 6 storeys is overdevelopment and question a lack of parking. They also request retention of the wall sculpture figure.

8.0 Summary of Other Representations

8.1 The application has been advertised by neighbour letters and a site notice.

8.2 Letters of objection from three residents of Pimlico Court , including Directors of the Management Company, have been received raising concerns about

- the inadequacy of proposed parking,
- disturbance from residents using balconies and roof top gardens
- disturbance from the café in a residential area,
- proposed café hours extend into the evening (9pm) and will be subsequently extended
- difficulties of servicing and the viability of the café
- object to the oversupply of flats in the town
- height too great , loss of light to neighbours.
- Inadequate consideration being given to application

9.0 **Planning History**

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

Ref	Proposal	Decision	Date
3/03/2474/FP	9 flats, restaurant and managers flat and basement parking.	Granted with conditions	6 May 2004
3/04/0019/LC	Demolition of existing building.	Granted with conditions	6 May 2004
(Sovereign House) 3/13/1967/FP	Redevelopment for 84 residential units, 83 car parking spaces and associated access, amenity space and landscaping	Granted subject to Section 106	24 Oct 2014
(Sovereign House) 3/16/0115/FUL	Erection of 57 units of Assisted Living Extra Care (Use Class C2) accommodation for the frail elderly and 24 units of Retirement Living' Sheltered Accommodation including communal facilities and car parking.	Approved subject to Section 106	Committee - 25 May 2016

10.0 **Consideration of Relevant Issues**

Principle of the development

- 10.1 The site lies within the built up area of Hertford wherein there is no objection in principle to new development, subject to detailed planning considerations. Policy HSG1 is relevant to non-allocated housing sites. The application site is brownfield land and well located to deliver new housing. The lack of a 5 year housing supply within the District also carries significant weight in proposals providing for new housing and in the consideration of this application.
- 10.2 The 2004 grant of permission, which lapsed, and the planning permissions granted and approved at the adjacent Sovereign House

site are important material planning considerations which support the principle of the mixed use scheme now proposed. The re-provision of a service use and employment element at the site is also supported by local plan policies EDE2 and STC8.

- 10.3 While the main issues to consider are detailed matters of design and impacts on the Conservation Area as well as highways, parking, neighbour amenity, refuse etc the redevelopment is welcomed and promoted as necessary to secure a satisfactory completion of the redevelopment of the wider Sovereign House area. If approved it is highly desirable that it be implemented jointly with the neighbouring site.

Design and layout/ Conservation

- 10.4 The proposal, by its built footprint, massing, form and height, is quite similar to the 2004 lapsed planning permission and also reflects approved plans for the Sovereign House site. It would be 6 storeys in total, 5 storeys with a setback roof storey, which is designed to highlight the corner location.
- 10.5 The comments of Hertford Town Council in relation to height and design are noted. A previous report and assessment by the Hertfordshire Design Review Panel accepted the scale of building for this site and the adjacent Sovereign House site, as well as recommending the integration of the corner development. The additional height for the design of this corner location accentuates its position.
- 10.6 While the elevation could be bolder and more dramatic, the Conservation advice endorses the design. Fundamentally the design provides interest within the elevations and positively addresses the street and corner location. The Town Council also request retention of the John O' Gaunt statue; the applicant advises this will be donated to Hertford Museum. However it is not viewed as a heritage asset by Conservation Advisers, is believed to be of fibre glass, and a planning condition with respect to this is not warranted.
- 10.7 The proposal has been designed with an external terrace for café seating to increase surveillance of the street, add a sense of public safety as well as provide more interest within the street scene.
- 10.8 The elevations of the proposed building would be a balance of stone cladding, brick and glass balustrading with a grey panel system for the roof level. The provision of balconies and fenestration are

complimentary to the approved McCarthy and Stone scheme and considered to be balanced and attractive.

- 10.9 Public realm changes in front of the site will involve the public highway and need Highways approval under a S278. The removal of unsightly guard railings, provision of a minimum 2m footway, resurfacing of paving should all be acceptable in principle and deliver added public benefits.
- 10.10 Planning conditions are proposed to approve final materials as well as the design details of windows, doors, eaves and public realm proposals for the enhancement of the entrance to Pegs Lane. This will be subject of formal S278 approval and close working with County Highways will be required.

Highways and parking

- 10.11 The only vehicular access is the proposed ramp to basement parking from Pegs Lane. The access is located in a similar location to that for existing surface parking on the north side of the Elbert Wurlings building.
- 10.12 The site lies in a Zone 3 area for the purposes of vehicle parking assessment (see Key Data below). 14 parking spaces are provided for 14 units with additional bike storage for both staff to the café and residents. For a small site there is inevitably a constraint on the possible parking provision and the 14 spaces need to be accessed with turning space too. Physically the site is not able to accommodate more parking, unless a double basement were to be provided.
- 10.13 The 14 space provision is below the maximum standard of 21 spaces, of the adopted local plan. As a maximum then the considerations of location of the site, within walking distance of the town centre and amenities as well as public transport routes, albeit with the barrier of Gascoyne Way in between, can be considered to justify a lower provision. Using the emerging standards a requirement of between 15 and 29 spaces is identified for the residential. The 14 spaces is still one short of the lower end of this range.
- 10.14 Provision at a ratio of 1 space per unit is below that of Pimlico Court, 1.4 spaces per unit, but comparable to that agreed for the Sovereign House site in 2014 of 1 space per dwelling. The Sheltered Housing for McCarthy and Stone is also provided at about 1 space per unit. Each of those applications noted the area is accessible and within walking distance of the town centre and other amenities. Off-site alternative

provision is limited and any additional demand is likely to place further pressure on this. It is considered that some harmful weight should be assigned to the proposals in this respect.

- 10.15 With respect to the A3 café use, there is no provision for staff or visitors. The maximum required by the adopted plan standards would be 15 to 23 spaces adjusting for a Zone 3 site. Under the emerging standards there would be a requirement for 15 spaces at the lower end of the acceptable range. However the applicant is of the view that as a day time operation reliant on passing footfall it would not be a destination venue and would not generate visitors parking.
- 10.16 While this represents a clear deficit for café on the site, it is also a relevant planning consideration that the lawful A4 use of the site is for a larger public house on 2 floors which itself is in deficit. Under the adopted standards the 302 sqm of bar area would require between 50 and 75 parking spaces. The smaller café use therefore represents a significantly less intensive use of the site than the current lawful use of the site. The applicant has also accepted a planning condition that one of the flats and a parking space be tied to provide accommodation for staff or a manager of the A3 use to ensure some level of on-site parking provision for the café as well as better site management.
- 10.17 The development will provide secure dedicated space for cycles and mobility scooters. County Highways have no objection to the access or parking provisions which they consider to be acceptable.
- 10.18 While visitors' parking is not provided, the public realm works for redesigning Pegs Lane are expected to incorporate some provisions for short term visitors parking as well as a loading bay area for the café as required by Highways.
- 10.19 Customer behaviour will to a degree be influenced by the absence of any parking and especially if the unit is conditioned by hours to meet a local daytime provision for people passing the site.
- 10.20 As indicated, Officers consider overall the deficiency of parking for the café will be a concern but the cafe retention is supported by local plan policies to retain employment and local services. The shortfall should be seen against an even greater deficiency of the existing A4 public house use. While some harm is assigned to this it should be seen in context and against the wider planning benefits of the redevelopment.

Neighbour impact/ Residential amenity

- 10.21 The proposed development will relate well to the scale of new development at Sovereign House. Placing the stair and lift core at the rear of the building has been designed to avoid overlooking of the internal courtyard of the McCarthy and Stone development to the rear.
- 10.22 Objections have been received that there will be adverse impacts on residents of Pimlico Court which lies on the opposite side on Pegs Lane slightly offset from the site.
- 10.23 The café would be primarily a day time venue with proposed hours up to 9pm in the evening. This would provide a local meeting space and amenity for people living and working in the area. Mixed uses are also promoted by the NPPF. It should be remembered that the lawful historic use of the site, which is a material planning consideration, permitted much later hours of use. The proposed more limited hours of the application are therefore considered reasonable within the locality as it becomes more residential in character and this can be controlled by condition.
- 10.24 The approved McCarthy and Stone scheme includes balconies too and noise from them or a roof top garden is not likely to be a noise nuisance any more than any other outdoor amenity space provided for residents. The roof top garden would be located about 25m from the nearest corner of the Pimlico Court development and would not result in any adverse issue of overlooking at this distance. The balconies are similarly at respectful distances and comparable to the location of balconies in the McCarthy and Stone scheme.
- 10.25 There are therefore no objections on neighbour amenity grounds to the proposed development.

Surface water drainage

- 10.26 The proposal will provide a range of SuDs measures, including two areas of green roof adjacent to the roof garden, as well as increased permeability by a reduction in hard surfacing on the site. Neither Thames Water nor the Council's Engineer have objections to the scheme. The Lead Local Flood Authority (HCC) has withdrawn its objection as the applicant has submitted a new drainage strategy. Remaining matters, of maintenance and allowing storage for climate change, can be dealt with by the recommended planning condition.

Section 106 / Miscellaneous

- 10.27 While the development could potentially be subject of Section 106 contributions, The County Council seek none in this case. Affordable housing provision is not required for a development of this scale. While only a relatively modest sum could be secured for outdoor sports the Open Spaces Manager is considering the possibility and Members will be advised at committee of any request. Authority is sought now for up to the maximum provision to be sought in relation to these matters, with final provision to be determined by Officers. Public realm benefits would be an off-site cost to the development but are directly related to the development and its final quality. These can be delivered under a planning condition and a S278 agreement as preferred by Highways.
- 10.28 Provisions for refuse have been designed with regards to the standards recommended by the Council's Environmental Services and confirmed as being acceptable to them.

11.0 Conclusion

- 11.1 Having regard to Local Plan policies and the provisions of the NPPF the mixed use scheme for a brownfield site that delivers housing given the current lack of an identified 5 year housing land supply is strongly supported in principle. The scale and design approach are also supported by the considerations of the approved McCarthy and Stone permission, the Sovereign House residential scheme and the lapsed 2004 planning permission at Elbert Wurlings.
- 11.2 The design will not just preserve but enhance the appearance and character of the Conservation Area. The existing building detracts from the Conservation Area and if left as it is would appear incongruous against the approved McCarthy and Stone development.
- 11.3 The limitations of parking provision at the site for the commercial use are reduced relative to the current lawful public house. The limitation of provision in relation to the residential use is also noted and some harmful weight is assigned to this matter.
- 11.4 The proposal will deliver a good quality re-development of this prominent corner location within the town. Overall, it is considered that the balance of weight is favourable in this case and the proposals are therefore recommended for approval subject to the following planning conditions.

Legal Agreement

1. Capital provision for up to £3632 for parks and public gardens; up to £10059 for outdoor sports; up to £1547 for amenity green space and up to £1486 for children and young people;
2. Revenue provision of up to £8016 for parks and public gardens, up to £25254 for outdoor sports, up to £4352 for amenity green space and up to £2851 for children and young people.
3. Capital funding of up to £2862 for community centres and halls
4. Revenue funding of £1008 for recycling facilities

Conditions

1. Three year time limit (1T12)
2. Approved plans (3941) GA 001 PL1;. GA 002 PL1; GA 003 PL1; GA 004 PL1; GA 005 PL1 ; GA 006 PL1 ; GA 007 PL1 ; GA 008 PL1 ; GA 201 PL1 ; GA 302 PL4 ; GA 301 PL3; GA 401 PL1; GA 402 PL2; GA 403 PL2; GA 501 PL2; GA 502 PL1; GA 503 PL2; GA 504 PL1; GA 511 PL1; GA 512 PL1; GA 513 PL1; GA 514 PL1; GA 811 PL1; GA 801 PL1.6964/520A.
3. Samples of materials (2E12) Amended reason 'Prior to above ground works'. Add " A sample panel of brickwork shall be provided on the site, approved in writing by the local planning authority and thereafter retained as a reference for all external brickwork within the development".
4. Prior to the commencement of above ground works to the development hereby approved, detailed drawings of new doors, windows, roof eaves and balconies at a scale of not less than 1:20 including materials and finishes shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved plans and specification.

Reason: In the interests of good design and the appearance of the proposed development in the Conservation Area in accordance with policy ENV1 and BH6 of the East Herts Local Plan Second Review April 2007 and the National Planning Policy Framework.

5. Prior to the demolition of the existing building a Site Waste Management Plan shall be submitted and approved in writing by the

Local Planning Authority. The plan shall detail the measures to be taken in the design, construction decommissioning and demolition of the development to re-use existing materials within the new development; recycle waste materials for use on site and off; minimise the amount of waste generated; minimise the pollution potential of unavoidable waste; treat and dispose of the remaining waste in an environmentally acceptable manner; and to utilise secondary aggregates and construction and other materials with a recycled content. The measures shall be implemented in accordance with the approved details.

Reason: To accord with Hertfordshire Waste Local Plan policies 7 and 8.

6. Before first occupation of the approved development, the new access and parking areas serving the development shall be completed in accordance with the approved in principle plans , drawing numbers GA 302 PL Revision 3 'Ground Floor plan and GA 301 PL Revision 3 'Basement Plan'.

Reason: To ensure the provision of an appropriate access, off street parking and manoeuvring space for the development, in the interests of highway safety and convenience

7. Prior to the commencement of the development, a Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. Thereafter, the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Traffic Management Plan shall identify details of:

- phasing for the development of the site, including all highway works;
- methods for accessing the site, including construction vehicle numbers and routing;
- location and details of wheel washing facilities;
- associated parking areas and storage of materials clear of the public highway;

Reason: In the interest of highway safety and efficiency.

8. Prior to the commencement of the above ground works, 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) Hard surfacing materials (b) Planting plans (c) Written specifications (including cultivation and other operations

associated with plant and grass establishment) (d) Schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate (e) 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.

9. Landscape Implementation: All hard and soft landscape works shall be carried out in accordance with the approved details. Any trees or plants that, within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscaping in accordance with the approved designs, in accordance with policies ENV1 and ENV2 of the East Herts Local Plan Second Review April 2007 and national guidance in section 7 of the National Planning Policy Framework.

10. Before commencement of any above ground building, detailed plans of Public Realm Works along the front of the site, including provisions for resurfacing, a minimum 2m footway and removal of guard rails, shall be submitted to and approved in writing by the Local Planning Authority, in consultation with Highway Authority. The plans shall clearly show all works to the public highway as well as the following:

- Approved in-principle hard and soft landscaping treatments
- Provision of a vehicle loading bay at the north end of Pegs Lane.
- The levels of footway and carriageway visibility from the vehicle access onto the public highway, within which there shall be no vertical obstructions between 600mm and 2 metres.

All construction works shall be carried out in accordance with the approved plans, fully completed to the satisfaction of the Local Planning Authority before first occupation of any part of the development, and retained in perpetuity unless otherwise agreed in writing with the local planning authority.

Reason: To ensure a satisfactory standard of highway design, in the interests of good design and the enhancement of the Conservation

Area and in accordance with local plan policies ENV1 and BH6 of the East Herts Local Plan Second Review April 2007, and the National Planning Policy Framework.

11. Construction hours of working - plant and machinery (6N07). 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.

12. Hours of use (café premises) 5U08. Add ... "Mon – Friday 8am – 9pm, Sat 9am – 6pm and Sunday 9am – 5pm".

Reason: In the interests of the amenity of nearby residents and in accordance with Policy ENV1 of the East Herts Local Plan

13. Manager / staff flat. Prior to the commencement of above ground works plans identifying a flat and a parking space for staff or manager of the Café use shall be submitted to and approved in writing by the local planning authority. The occupancy of the flat and space shall thereafter be retained and tied to the ground floor A3 use.

Reason: Having regards to the limitations of parking at the site and the wider benefits of on site management.

14. The development permitted by this planning permission shall be carried out in accordance with the Flood Risk and Drainage Strategy Report prepared by Michael Barclay Partnership LLP, dated 29 July 2016 and the following mitigation measures:

- Providing attenuation storage volume to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + 40 % for climate change event, by implementing a tank within the basement car park as shown on drawing number MBP-6964-500.
- Allowing a discharge rate of 3.3 L/s controlled by a pumping station

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

15. No development shall take place until the detailed surface water drainage scheme for the development site has been amended and also submitted to and approved in writing by the local planning authority.

The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include:

- Confirmation of maintenance/adoption plan for all the SuDS that will be implemented. The maintenance/management plan should be consistent with the latest edition of the CIRIA SuDS manual, explain and follow the manufacturer's recommendations for maintenance. It should also include an inspection timetable with long term action plans to be carried out to ensure efficient operation and prevent failure.

Reason: To prevent the increased risk of flooding, both on and off site and ensure that the proposed SuDS feature will be maintained for its lifetime in accordance with the NPPF

The scheme shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

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

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

Informatives:

1. 010L - Other legislation.
2. 19SN - Street Naming and Numbering
3. Any unexpected contamination discovered during works should be brought to the Attention of the Planning Authority.

4. The applicant is referred to the advice within Thames Water email of 3rd June 2016, specifically the requirement for a Groundwater Risk Management Permit, the installation of a fat trap, approvals for discharge to the public sewer, the presence of public sewers in the vicinity of the site.
5. Construction standards: Where works are required within the public highway to facilitate the new vehicle access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to Hertfordshire County Council Highways team to obtain their permission and requirements. Their address is County Hall, Pegs Lane, Hertford, Herts, SG13 8DN. Their telephone number is 0300 1234047. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.), the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website noted below, or by telephoning 0300 1234047. <http://www.hertsdirect.org/services/transtreets/highways/>
6. Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.
7. Construction standards for works within the highway: The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to

apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website noted below, or by telephoning 0300 1234047:

<http://www.hertsdirect.org/services/transtreets/highways/>

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 the considerations of the other relevant approved developments at the site is that permission should be granted.

KEY DATA**Residential Development**

Residential density	213 units/Ha	
	Bed spaces	Number of units
Number of existing units demolished	3	1
Number of new flat units	1	
	2	13
	3	1
Total		14

Affordable Housing

Number of units	Percentage
0	0%

Non-Residential Development

Use Type	Floorspace (sqm)
A3	134

Residential Vehicle Parking Provision

Current Parking Policy Maximum Standards (EHDC 2007 Local Plan)

Parking Zone	3	
Residential unit size (bed spaces)	Spaces per unit (amend if Zone 2)	Spaces required
1	1.25	
2	1.50	20
3	2.25	2
Total required		22
Proposed provision		14

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

Parking Zone	3
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Residential unit size (bed spaces)	Spaces per unit	Spaces required
1	1.50	
2	2.00	26
3	2.50	3
Total required		29
Accessibility reduction	<i>Up to 50%</i>	
Resulting requirement		15
Proposed provision		14

Non-residential Vehicle Parking Provision

Current Parking Policy Maximum Standards (EHDC 2007 Local Plan)

Parking Zone	3	
A3 Use	Floor Area	Spaces required
Dining Area	130 sqm	26
Staff	4	3
	<i>Up to 50%</i>	
Total required		15 - 23
Proposed provision		1

(Note. The existing A4 use. Bar Area 302sqm. Spaces required 50 – 75)

Legal Agreement – financial obligations

This table sets out the financial obligations that could potentially be sought from the proposed development in accordance with the East Herts Planning Obligations SPD 2008; sets out what financial obligations have actually been recommended in this case, and explains the reasons for any deviation from the SPD standard.

Obligation	Amount sought by EH Planning obligations SPD	Amount recommended in this case	Reason for difference (if any)
Affordable Housing	Not applicable	Not applicable	
Parks and Public Gardens	£3632	Up to £3632	Amount of provision under discussion with

			service providers
Outdoor Sports facilities	£10059	Up to £10059	
Amenity Green Space	£1547	Up to £1547	
Provision for children and young people	£1486	Up to £1486	
Maintenance contribution - Parks and public gardens	£8016	Up to £8016	
Maintenance contribution - Outdoor Sports facilities	£25254	Up to £25254	
Maintenance contribution - Amenity Green Space	£4352	Up to £4352	
Maintenance contribution - Provision for children and young people	£2851	Up to £2851	
Community Centres and Halls	£2682	Up to £2682	
Recycling facilities	£1008	£1008	