

DEVELOPMENT MANAGEMENT COMMITTEE REPORT – 9 Nov 2016

Application Number	3/16/1218/FUL
Proposal	Demolition of buildings. Closure of access points. Erection of 29 dwellings with associated infrastructure and creation of access to Cambridge Road.
Location	The Chestnuts and Glanton, Cambridge Road, Puckeridge
Applicant	Beverley Homes Ltd
Parish	Standon
Ward	Puckeridge

Date of Registration of Application	26 May 2016
Target Determination Date	25 August 2016
Reason for Committee Report	Major planning application
Case Officer	Martin Plummer

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 represents an inappropriate form of development in the Rural Area beyond the Green Belt. Despite the emerging District Plan, the Council is not currently able to demonstrate a five year supply of housing and, in such situations, national planning policy requires that planning permission be granted for sustainable development unless there are any significant adverse impacts that would outweigh the benefits of the proposal.
- 1.2 This report describes that policy assessment and considers the weight to be attached to the provision of housing, including affordable housing at the location together with the adverse impacts identified. The site is considered to be reasonably well located for day-to day services and facilities but performs less well in terms of access to employment and more significant weekly shopping trips. This is a similar position to the development that was approved at appeal on a site slightly further to the north of the application site along Cambridge Road. In that case the Planning Inspector considered that the site was sustainable and a similar conclusion is also reached in respect of this site.
- 1.3 Whilst some areas of harm have been identified, to which weight can be assigned, there are not considered to be impacts that significantly and

demonstrably outweigh the positive weight that can be attached to the development proposal.

2.0 Site Description

- 2.1 The site is located to the west of the village of Puckeridge on the western side of Cambridge Road. There are currently two single storey dwellings on the site, Glanton and The Chestnuts which are both set approximately 30 metres back from Cambridge Road.
- 2.2 To the north of the site is Puckeridge Tributary, a small stream which flows west to east with various trees and other landscape features along its bank. Beyond the stream is a footpath link from Cambridge Road leading west to open countryside within an agricultural field which separates the application site from the edge of the main built up part of the village of Puckeridge.
- 2.3 To the south of the application site is the boundary with a detached single storey dwelling known as Little Gosford. Further to the south is the A120 (Standon Hill).
- 2.4 To the west of the site there is a steep bank rising up to the A10. There are various landscape features and large trees on the embankment with the A10.
- 2.5 To the east of the site, on the other side of Cambridge Road, there is a mixture of differing forms of development including Vintage Court fuel station and a retail unit. To the rear of that is the former motel (red bricked three storey building) which now forms a number of flats. There are also a number of detached dwellings on the eastern side of Cambridge Road.

3.0 Background to Proposal

- 3.1 The development includes the demolition of the two existing dwellings on the site and the erection of 29 new dwellings (thus a net increase of 27 units). The development incorporates a mixture of semi-detached and terraced dwellings which includes 4no x 1 bed, 7no x 2 bed, 10no x 3 bed and 8no x 4 bed units. The 1 bed and 2 bed units are proposed to be affordable (11 in total) which amounts to the provision of 37.9% affordable units.
- 3.2 The plans incorporate the closure of the vehicle accesses to the existing properties on the site and the provision of a single new access with adjacent footway. This access leads to a cul-de-sac arrangement

of dwellings which are generally two storeys in height (with two and a half storey height frontage dwellings). These frontage dwellings comprise four pairs of semi detached properties, linked by garages with dormer windows on the front roof slope.

- 3.3 Outline planning permission has been granted at appeal, in Sept 2015, under LPA reference 3/14/1627/OP for a residential development of up to 24 dwellings on a parcel of land east of Cambridge Road north of this site. That approved development (hereafter referred to as the ‘appeal decision’) is shown on the attached OS plan. Planning permission was granted for that development on the basis of the Council’s lack of five year supply of housing (paragraph 49 of the NPPF). A copy of the Planning Inspectors decision is attached as Essential Reference Paper A (ERPA). That appeal dealt with issues that remain material in relation to the consideration of this case.
- 3.4 There is also a current undetermined planning application for a development of up to 160 dwellings on land to the east of the application site on land known as Café Field. That application site is shown on the attached OS plan and is reference number 3/15/2081/OUT. As indicated, no decision has yet been made in respect of that application although amended plans and information have recently been received from the applicant and re-consultation in respect of that additional information is currently taking place.

4.0 Key Policy Issues

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

Key Issue	NPPF	Local Plan policy	Pre-submission District Plan
The principle of residential development within the Rural Area, land supply and the emerging Neighbourhood Plan	Paragraph 14	SD2, GBC3	DPS2, GBR2
Whether the development represents a sustainable form of development – including the housing mix	Paragraph 7		INT1
Impact on character and appearance of the area and neighbour amenity	Paragraph 14	ENV1	DES3

Transport and parking		TR7	TRA1, TRA2, TRA3
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Other relevant issues are referred to in the 'Consideration of Relevant Issues' section below.

5.0 Emerging District Plan

- 5.1 The Council resolved to proceed to the publication of its pre-submission version of the District Plan at the meeting of Council of 22 Sept 2016. By the date of this meeting the Plan will have been published for consultation. The view of the Council is that the Plan has been positively prepared, seeking to ensure significantly increased housing development during the plan period. The weight that can be assigned to the policies in the emerging plan can now be increased, given it has reached a further stage in preparation. There does remain a need to qualify that weight somewhat, given that consultation on the Plan is now taking place and the outcome of that is currently unknown.
- 5.2 The site was promoted as being available for development through the District Plan call for sites process

6.0 Summary of Consultee Responses

- 6.1 HCC Highway Authority comments that it does not wish to restrict the grant of planning permission subject to planning conditions.

It comments that likely trip generation is acceptable and that appropriate visibility and access onto Cambridge Road can be provided.

It comments that the site is located on Cambridge Road on the southern extent of Puckeridge which contains a small number of local facilities including a general store, public houses, school and community buildings which are in walking distance. The limited nature of local shops and facilities will inevitably necessitate travel to surrounding local centres.

There are bus stops off Standon Hill approximately 180 metres from the site frontage. The 331 bus runs between Hertford and Royston via Buntingford and provides a service pattern for the majority of the day every 1-2 hours with an additional early morning service. This, and other bus routes, are considered to present a reasonable service level

and opportunity for residents to reach public transport hubs, including Bishop's Stortford.

- 6.2 Lead Local Flood Authority comments that the Flood Risk Assessment and SuDS (Sustainable Drainage System) demonstrate a feasible surface water drainage strategy based on restricted outfall to the Puckeridge Tributary. The LLFA recommend planning conditions are attached with any grant of planning permission.
- 6.3 Environment Agency comments that the built development is entirely within flood zone 1 and takes into account the new climate change allowances. No comments are therefore made in flood risk terms. It is recommended that a post and rail fence, proposed for the north side of the site adjacent to the watercourse, is set back a minimum of 3 metres from the top of the river bank to allow access to the watercourse
- 6.4 EHDC Engineering Advisor comments that the drainage layout will provide good quality SuDS to help reduce flood risk, improve water quality and add additional landscape and wildlife benefits.
- 6.5 Thames Water comments that it is the applicants responsibility to make proper provision for surface water drainage. Surface water should be attenuated or regulated into the receiving public network through on or off site storage.

There are public sewers crossing or close to the development site - as such, approval from Thames Water will be required for any part of the proposed buildings being within three metres of a public sewer.

With regard to sewerage infrastructure capacity, Thames Water do not have any objection.

- 6.6 EHDC Housing Development Advisor notes the provision of affordable housing. The percentage, type and tenure type are all acceptable.
- 6.7 EHDC Landscape Advisor recommends approval.
- 6.8 Herts Ecology comments that there is not known to be an ecological interest at the site and this is supported by the ecological survey submitted with the application. The development does however miss a valuable opportunity to provide biodiversity gain as encouraged in policy. The recommendations in the ecological and landscape report are modest and vague and don't meet reasonable expectations. To address this issue a planning condition is recommended requiring an ecological mitigation and management plan.

6.9 HCC Development Services Team requests financial contributions in respect of the following matters:-

- Nursery education towards increasing places at Spins pre-school;
- Middle education towards expansion of Ralph Sadler School by 1 form of entry;
- Childcare Service contribution towards increasing places at Spins pre-school;
- Library service contributions towards Ware library to develop and improve the adult fiction area of the library;
- Youth Service contributions towards signage at Ware Young Peoples Centre;
- Provision of fire hydrants.

6.10 HCC Minerals and Waste refer the Council to Waste Plan policies and the requirement to consider recycling and waste in the construction process.

6.11 EHDC Environmental Health Advisor recommends the provision of a planning condition requiring a replacement acoustic fence along the western edge of the application site and boundary with the A10.

6.12 EHDC Environmental Services comments that provision for 3 x 240 litre bins will need to be provided.

6.13 Hertfordshire County Council Fire and Rescue Services comments that access for fire fighting vehicles and water supplies should be provided.

7.0 Parish Council Representations

7.1 Standon Parish Council object to the development on the following grounds:-

- Lack of engagement in the Neighbourhood Plans process;
- Flood risk;
- Harmful impact on public sewerage system;
- Traffic impact on Cambridge Road and A120;
- Poor layout of development and siting of children play area;
- Poor design and layout of parking;
- Tenure difference between affordable and open market dwellings;
- No management details of communal areas.

8.0 Summary of Other Representations

8.1 Four representations in objection have been received – the concerns raised are summarised as follows:-

- Harmful highway safety impact associated with access from Cambridge Road onto the A120;
- Inadequate school places;
- Existing medical centre will be unable to cope with additional people from the development;
- Flood risk

9.0 Planning History

9.1 There is no planning history of relevance relating directly to the site. Outline planning permission has been granted on a different but nearby site for up to 24 dwellings. This is the land to the east of Cambridge Road, under LPA reference 3/14/1627/OP (details included as ERP A).

10.0 Consideration of Relevant Issues

Principle of development

10.1 The site lies outside the defined village boundary of Puckeridge and therefore within the Rural Area Beyond the Green Belt in both the current and emerging Local Plans. In the current Local Plan, policy GBC3 only allows for specific forms of development, not including new residential developments, in such locations. This policy approach is replicated in policy GBR2 of the emerging District Plan. The proposal therefore represents inappropriate development in the Rural Area beyond the Green Belt. When considering the principle of development it is necessary to consider, of course, any other material considerations, including policies contained in the NPPF.

10.2 Paragraph 14 of the NPPF sets out a presumption in favour of sustainable development and also states that ‘where the development plan is absent, silent or relevant policies are out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or because specific policies in the Framework indicate development should be restricted.’

10.3 The Council has acknowledged its lack of a 5 year housing supply and the need for housing in the district. It is also acknowledged that, in

respect of the wording of the NPPF, the Council's settlement boundaries and housing allocations based on the 2007 Local Plan are considered to be out of date. The pre-submission District Plan has been published and sets out an up to date policy position in relation to the supply of land for housing. It is considered that some weight can now be assigned to this emerging policy position, albeit that consultation is yet to be undertaken and an examination to be held.

- 10.4 In the current Local Plan, Puckeridge is identified as a category 1 village, where development is permitted within the identified development boundary. Standon is identified as a category 2 village. In category 2 villages development is permissible within the built up boundary of the village. In the pre-submission District Plan policy VILL1 sets out that Group 1 villages (which includes Puckeridge and Standon) should make provision for a 10% increase in housing stock based on the 2011 census. The emerging policy encourages Parish Councils to prepare Neighbourhood Plans to allocate land for such development. Prior to the preparation of a Neighbourhood Plan, the policy sets out that development should be constrained to within the identified development boundary.
- 10.5 Standon Parish Council has commenced preparation of a Neighbourhood Plan and has published a draft plan on its website. The Neighbourhood Plan identifies the application site for development, albeit for 23 rather than 29 new homes. The Neighbourhood Plan also introduces the concept of a new access to the A10, to be created on land immediately to the north of this site and brought forward in association with development of sites at Cambridge Road. The Neighbourhood Plan is at a stage where only limited weight can be attached to it. It is nonetheless material that the Neighbourhood Plan identifies the application site for development.
- 10.6 The proposed development would make a reasonable contribution towards the Council's deficit in housing supply and this weighs in favour of the proposal, but must be balanced against any harm arising from the development.
- 10.7 With regard to sustainability issues the matters raised in the related appeal decision are material. There are three dimensions to sustainable development – an economic, social and environmental dimension:-
- 10.8 With regard to the economic dimension, the appeal decision considered (paragraph 17 of ERP A) that the construction of 24 dwellings would assist the local economy in terms of labour opportunities and demand for materials and services during the construction phase, and that, once

the development is occupied there would be additional support for local services. Given the likely number of occupants, this could be significant. The same situation applies with this application and the proposal therefore represents a sustainable form of development in economic terms.

- 10.9 With regard to the social dimension of sustainability, the appeal decision (paragraph 18) refers to the Council's lack of five year supply of housing and that the land was available immediately for development within five years and would provide 40% affordable homes. The same position applies to this application – the Council does not currently have a five year supply of housing and the development includes the provision for 37.9% affordable dwellings (comparable to that granted at appeal). The applicant has also confirmed that it is their intention to commence work as soon as is reasonably practicable with likely completion towards the end of 2017 / beginning of 2018. These are matters which therefore weigh positively in favour of the application.
- 10.10 With regard to access to services and village facilities, the appeal decision notes (paragraph 19) that existing facilities are an easy cycle ride away and within reasonable walking distance along a public footway. There is a small convenience shop, two public houses, a tearoom, hairdressers/beautician, garage and petrol station. The village also has a primary and middle school, pharmacy, dentists, medical centre and recreational ground within around 1 mile. The Inspector notes that some of these facilities are outside the 800 metre comfortable walking distance cited in the Manual for Streets but would only be a short trip in the car. This application site is in a different position to that considered by the Inspector, it is a further 150 metres to the south of the appeal site – the previously mentioned considerations of the Inspector therefore remain applicable to the current application proposals, with some qualification because of the further distance from the village centre.
- 10.11 The appeal decision notes that the existing convenience shop is a good facility for convenience and top-up shopping but would not suffice for a weekly shop. The Inspector also notes at paragraph 20 that, although there are some employment opportunities, most residents will likely work further afield.
- 10.12 The appeal decision considers that there are limitations in public transport which impedes the social credentials of the proposal and which impacts negatively on the environmental role of sustainability in terms of the likely reliance on the use of private car for access to

employment and for larger shopping excursions. Those limitations also apply again in relation to this site.

- 10.13 Having regard to the above considerations and the appeal decision, the site is considered, in overall terms, to be sustainably located with regard to access to a wide range of local and day-to-day services and facilities. It is acknowledged that the majority of major shopping trips and employment will need to be made to the more significant urban centres of Bishop's Stortford, Hertford, Ware or further afield. There is some access to those centres through use of public transport. However, it is anticipated that the majority of future residents will use private motor vehicles for these trips, and this does weigh against the development proposal to some degree.
- 10.14 Overall, however, Officers consider that development of this site can be considered to represent a sustainable form of development in terms of economic, social and environmental issues, and the scale of the proposed development is not considered harmful to the capacity of the existing infrastructure and services in the village (further consideration of this issue below in terms of financial contributions). In accordance with paragraph 14 of the NPPF, therefore, planning permission should be granted for the proposal unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits of the proposal in terms of housing provision. A number of other issues therefore need to be considered in that assessment and these are set out below.

Housing mix

- 10.15 As noted in section 3 above, the development provides a mixture of housing types and sizes including 2, 3 and 4 bed dwellings.
- 10.16 The current Development Plan (East Herts Local Plan Second Review April 2007) contains no specific policy criteria relating to mixture of housing sizes/types. The pre-submission District Plan, however, sets out a new policy approach, and emerging policy HOU1 identifies that an appropriate mix of housing tenures, types and sizes will be expected taking account of most up to date evidence and emerging policy.
- 10.17 This is a new policy position within the emerging District Plan and therefore the weight that can be attached to it must be qualified (as set out in section 5.0 above). However, given that the policy is based on very recent and up to date evidence contained in the Strategic Housing Market Assessment (SHMA) and in the absence of any contrary

evidence, Officers consider that it can be afforded some moderate weight.

- 10.18 The Strategic Housing Market Assessment identifies a clear need for affordable housing with the majority of the need for two and three bed dwellings. 40% of affordable homes should be provided as 2 bed units, houses and flats, and 19% of affordable homes provided as 1 bed units. In these proposals, 36% of the affordable homes (4 of the 11 in total are 1 bed) and 64% as 2 bed (the remaining 7 of 11 total).
- 10.19 For market housing the emerging policy requirements are 46% as 3 bed and 23% as 4 bed. The proposals comprise 56% as 3 bed and 44% as 4 bed. The mix could sit more comfortably with the policy requirements and some harmful weight is assigned as a result.
- 10.20 Standon Parish Council has undertaken a survey (September 2015) as part of their preparation of the Neighbourhood Plan. A summary of that survey identifies that there is no clear preference for a particular housing format so there is a demand for a wide range of housing types with demand for smaller units but for fewer flats/maisonettes. The survey indicates a feeling in the community that one third of new dwellings should be affordable. It is not considered that the local survey provides evidence which indicates that the emerging policy housing mix should not be applied.

Impact on character and appearance of the area

- 10.21 The site is not within a designated area such as Conservation Area where special regard must be had to the character of the area. The existing buildings which are proposed to be demolished are not considered to be of any particular interest in terms of their architecture or appearance. Officers therefore raise no objection to the demolition of existing buildings on the site.
- 10.22 The application site, whilst outside of the village boundary, forms the periphery of a cluster of built form with the more significant element of that being located to the east of Cambridge Road. On that side of the road there is a mixture of development including detached dwellings and two blocks of flats. There is therefore a reasonably high density of development on the east side of the road within a fairly tightly and well defined area.
- 10.23 To the west of Cambridge Road, and including the application site, there are currently four detached bungalows which are set on generous plots with mature tree and landscaping to the front boundary with

Cambridge Road. On this side of Cambridge Road then, there is a more informal and much lower density and character than that on the other side of Cambridge Road. To the north of the site, between it and the centre of Puckeridge, there is substantial roadside tree planting which is likely to contain views of the site from this direction.

- 10.24 The proposed development incorporating the provision of 29 dwellings on a plot of just under a hectare will therefore result in a density of development which is less than that to the east of Cambridge Road. However, given the existing appearance of development to the west of Cambridge Road and loss of almost all of the current on site planting, there will be a significant change to the character of this part of the road.
- 10.25 The proposed layout incorporates a central access (thus reducing the existing number of accesses into the existing site), with a generous set-back of the proposed dwellings from the street. The degree of set back varies from between 28-15 metres and will allow landscape planting to be retained or re-established to the front of the site. Such planting will take time to establish but will, in time, soften the impact of the development from the street and present an attractive green frontage to the site.
- 10.26 The proposed built form to the frontage would comprise of four pairs of semi-detached dwellings which are linked at first floor. The design of these buildings is traditional with pitched roofs, a mixture of brick and boarding and dormer windows within the roof space. There is no particular architectural style to other development within this part of Cambridge Road and the proposed frontage design is considered to be generally of a high standard which, together with proposed landscaping, will create an attractive frontage within the street.
- 10.27 Within the development, the layout and arrangement of proposed housing is less cohesive. Parking areas are provided to dwelling frontages and, despite the endeavours to introduce some landscaping, hard surfaced areas are likely to dominate visually. Behind the frontage, the proposed units are generally inward looking rather than outward facing and the opportunity to face them toward the watercourse to the north, make a feature of this whilst making a more usable public and making parking areas more discrete, has not been taken. There are some positive aspects, the proposed units have a similar architectural style to the dwellings which front Cambridge Road, although less well detailed and proportioned. The proposed dwellings are well spaced and have gardens commensurate with their size.

10.28 Overall then, whilst acknowledging that the development will see a significant change to the character and appearance of the existing site, having regard to the character and higher density of development to the east of Cambridge Road, the provision of 29 units is considered acceptable, but the layout is rather pedestrian.

Transport and parking

10.29 Representations have been received raising concern in respect of the impact on highway safety and access onto Cambridge Road. Concern is raised that the junction of Cambridge Road with the A120 (Standon Hill) to the south of the site, is dangerous and that it is difficult for traffic from Cambridge Road to join the flow of traffic on the A120. Concern is raised that this will likely encourage vehicular traffic to travel north along Cambridge Road through the historic core of Puckeridge which has limited road width and experiences congestion.

10.30 Officers are aware of the concerns raised in respect of this matter both through this application, the previously approved application (3/14/1627/OP) and the current planning application for the larger development to the east on the Café Field site (LPA reference 3/15/2081/OUT). The difficulties of negotiating the Cambridge Road/A120 junction are acknowledged, particularly during peak times of the day, and it is recognised that there is an opportunity to access the A10 by travelling through the village to the north, which is constrained in terms of road width and by on-street parking.

10.31 The Highway Authority has not objected on these grounds and the access with Standon Hill (A120) is considered to provide an appropriate access onto the strategic highway network. Members will be familiar with the high test of assessing the impact of a development in transport terms. The NPPF states that development should only be refused where the residual cumulative highway impacts are severe. Whilst acknowledging the representations received in respect of this matter, having regard to the advice from the Councils statutory consultee on highways matters, the development of this site is not considered to represent a severe impact in terms of highway safety or traffic flows.

10.32 This issue will be explored further in relation to the more significant Café Field proposals and, in relation to that application, the Council has engaged a Highway Consultant to review the highway modelling work. At present, given the smaller scale of these proposals, it is not considered that more detailed scrutiny is required before a decision can be made.

- 10.33 With regard to parking, the development incorporates the provision of 64 parking spaces which provide, on average, 2.2 spaces per dwelling. The 4 bed units are provided with three spaces each (one within a garage) which accords with current and emerging standards. It is not entirely clear how spaces are assigned to the 3 bed units. These appear generally to have 2 spaces each, one in a garage for some units. This is below the current and emerging standards. There are then 16 spaces for the 11 one and two-bed units. These units would require 16 spaces under the current standards and 20 under the emerging standards. None of these spaces is within a garage. Given the constraints of the site in location sustainability terms, it is not considered that any reduction should be applied to the provision required under the emerging standards. There is some, but limited, under provision of parking therefore in accordance with current and emerging parking standards. Where garages are provided these meet the Councils space standards.
- 10.34 The proposals do not make the direct provision of other transport infrastructure. Members will be aware of the Councils corporate aspirations with regard to promoting health and well being and policy CFLR9 of the emerging plan. Small sites such as this are often unable to contribute any significant provision. It is important therefore that any opportunities are either safeguarded for the future or at least future opportunities are not jeopardised. There would appear that there should be some potential, in combination with the consented site to the north and the Café Field proposals, to provide attractive links between the sites and the local facilities and the countryside to encourage walking, cycling and the positive use of the amenity spaces provided.
- 10.35 In relation to this site, there is an existing public footpath to the north of the site, across the adjacent field and linking to the wider countryside. Links to that footpath are not created as part of this development but could be created in the future through the open space land to the frontage of the site. The opportunity to group units facing toward the watercourse with an adjacent footway, creating a more attractive and usable public space, is not possible through the currently proposed arrangement of units.

Drainage / flood risk

- 10.36 Representations have been received from the Parish Council and third parties raising concern with regard to the impact of the development on flood risk and the impact on the existing sewerage system.

- 10.37 The site is not in a high flood risk area – it is within flood zone 1. The development must, however, make appropriate provision for dealing with surface water drainage. The Environment Agency makes no comment in respect of this matter and neither the LLFA nor the Councils Engineers or Thames Water object to the development in terms of Flood Risk. The development incorporates the provision of permeable hard surfacing and a balancing pond which will store surface water and divert water into the Puckeridge Tributary to the north. The applicant has confirmed that there is no intention to discharge surface water into the foul water system.
- 10.38 Having regard to the advice received, Officers consider that an appropriate and sustainable drainage system is provided which will reduce flood risk and enhance wildlife and biodiversity and improve water quality entering into the main system.
- 10.39 With regard to the impact on sewerage treatment no objections in respect of this matter have been received from Thames Water.

Neighbour amenity impact

- 10.40 The proposed development is located an appropriate distance from development to the east of Cambridge Road such that there will be no significant or material harm to the living conditions of those occupying properties on that part of the street.
- 10.41 The main consideration relates to the impact on the living conditions of Little Gosfield. This property is single storey and is at an angle to the southern boundary of the application site. The layout of the proposed development has been designed such that the closest proposed dwellings to this neighbour are either located at an angle such that they do not allow for views over the more sensitive part of the garden land of the neighbouring property, or are located such that their flank walls are presented toward the neighbouring property. Officers consider that an appropriate layout and design of development is proposed such that there will be no significant or harmful impact on the living conditions of this neighbour.

Financial contributions

- 10.42 With regard to financial contributions, as the application is for the provision of an additional 27 net residential units, the need for financial contributions is required under the Council's Planning Obligations SPD and the Herts County Council (HCC) Planning Obligations Toolkit. Policy IMP1 of the Local Plan sets out that developers will be required

to make appropriate provision for affordable housing, open space and recreation facilities, education, health care, sustainable transport modes and other infrastructure improvements.

- 10.43 HCC have confirmed that they will require contributions towards nursery and middle education, youth and library services in accordance with the Hertfordshire County Council Planning Obligation toolkit. Having regard to the comments from the County Council, the contributions requested are considered necessary and reasonable based on pressures that the development will place on existing infrastructure. The obligations are therefore considered to meet the tests set out in Section 122 of The Community Infrastructure Levy Regulations (CIL) 2010. Further clarification is being sought in relation to the need for funding for Secondary education, Childcare and Nursery education services.
- 10.44 The East Herts Council SPD also requires contributions towards open space provision. The development provides a reasonable level of amenity green space and local area for play as part of the development and Officers do not therefore seek a contribution in respect of these matters. In respect of other open space and community facilities the following contributions are recommended:-
- Parks and Public Gardens £9,804
 - Outdoor Sports Facilities £27,152
 - Children and Young People £4,010
 - Community facilities £7,247
 - Recycling provision £2,088
- 10.45 The Parish Council have provided some comments in respect of how these monies can be spent in the village. The Parish Council have identified that they are working towards improving accessibility and facilities at Plashes Wood to provide mountain bike trails, footpaths and open space for recreation and leisure pursuits. Officers consider that the above identified financial contributions relating to outdoor sports facilities and children could be allocated to this project.
- 10.46 The Parish Council have also identified a project in Standon and Puckeridge Memorial Gardens to provide a dedicated memorial to commemorate the First and Second World War. The above mentioned contribution relating to parks and public gardens could be allocated to this particular project. It is unlikely that a significant number of developments of a scale that will generate s106 contributions will come forward in the village therefore, whilst the funds will be secured for use in the village, some latitude will be allowed to enable them to be most suitably used when available.

- 10.47 Officers are exploring further the provision of funding for health care services. Members will note that this was required and considered appropriate in relation to the appeal proposals and, in the absence of evidence to the contrary, it is considered that a similar level of funding should be sought.
- 10.48 Having regard to the information available, including the comments from the Parish Council together with the Planning Obligations SPD and Open Space SPD, Officers are of the opinion that the contributions referred to above are (a) necessary to make development acceptable in planning terms (b) directly related to the development (c) fairly and reasonably related in scale and kind to the development in accordance with s.122 of The Community Infrastructure Levy Regulations (CIL) 2010.

Other matters

- 10.49 The comments from Herts Ecology are noted – there will be no significant harm to protected species that would warrant further ecological surveys or refusal of planning permission, in accordance with policy ENV16 of the Local Plan. Herts Ecology recommend a planning condition requiring a more detailed strategy for enhancing biodiversity and ecology which, in Officers opinion, is necessary and reasonable having regard to the provisions in section 11 of the NPPF.
- 10.50 The site is adjacent to the A10 road which generates significant noise and activity. Protection is afforded by roadside planting already in place. The Councils Environmental Health Officers have considered this impact and have taken the view that, with appropriate mitigation that can be secured by condition, the impact is acceptable.
- 10.51 Lastly, Members will note the point raised by Environmental Services officers with regard to the provision of space for waste containers. The plans do not currently indicate how this will be achieved and officers will explore this matter further with the applicants prior to the meeting.

11.0 Conclusion

- 11.1 The proposal represents an inappropriate form of development which is contrary to the Council's Rural Area policies. Emerging policies in the pre-submission District Plan and the Neighbourhood Plan are at a stage where, whilst some weight can be attached to them, this must be qualified by the current stage reached in the respective preparation processes.

- 11.2 The NPPF sets out that, where Local Plans are out of date in terms of housing supply, there is a presumption in favour of sustainable development and significant weight should be given to the benefit of the delivery of new homes. In these circumstances, proposals should be approved unless the impact of doing so would significantly and demonstrably outweigh the benefits of development.
- 11.3 To make that judgement all relevant material considerations have been assessed. With regard to the sustainability of the development proposals, the application site is considered to be reasonably well located to the existing amenities in the village including, primary and middle education, health care provision and other village amenities including a village shop. The village is limited in terms of employment and the retail offer for anything other than basic items is also limited. There is therefore likely to be reliance on private vehicles to access these services and this must attract a degree of weight against the proposals. Overall however, the location is considered to be a sustainable one.
- 11.4 Some harm is assigned with regard to the mix of unit types proposed, the impact of the proposals on the visual appearance of this part of the village, the layout and parking provision. It is considered that the proposals are neutral with regard to the issues of highway impact, flood risk, amenity impact, noise and ecology.
- 11.5 In accordance with paragraph 14 of the NPPF a balancing exercise has to be undertaken to determine whether the adverse impacts associated with the development significantly and demonstrably outweigh the benefits. The conclusion to this balance exercise in this case is that overall they do not and that, as a result, planning permission can be supported.

Legal Agreement

- Improvement works to the two closest bus stops to the application site on Standon Hill;
- Nursery education contribution towards increasing places at Spins pre-school;
- Middle education contribution towards expansion of Ralph Sadler School by 1 form of entry;
- Childcare Service contribution towards increasing places at Spins pre-school;
- Library service contributions towards Ware library to develop and improve the adult fiction area of the library;

- Youth Service contributions towards signage at Ware Young Peoples Centre;
- The provision of affordable housing;
- A financial contribution towards of £9,804 towards the improvement of parks and public garden facilities within the parish;
- A financial contribution of £31,162 towards the provision of outdoor sport and/ or facilities for children and young people in the parish;
- A financial contribution of £7,247 towards an extension to the Puckeridge Community Centre;
- Details of the provision of a LAP as indicated on drawing reference 733/DHA2 Revision D together with details of the management of this area and all amenity areas not within private ownership of future residents.
- A financial contribution of £2,088 towards recycling facilities
- Sum of £16,879 toward the improvement of health care facilities in the village

Conditions/Reasons for Refusal

1. Two year time limit (1T121)
2. Approved plans (2E103)
3. Materials of construction (2E111)
4. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment by EAS reference 933 dated May 2016 and the revised SuDS Layout (SK05 REV D) submitted and the following mitigation measures detailed within the FRA:
 1. Implementing appropriate drainage strategy based on attenuation and restricted outfall to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year event
 2. Undertaking the drainage to include permeable paving, oversized surface water pipe system, swale, pond and hydrobrake or similar vortex control as indicated on drawing SUDS LAYOUT SK05 REV D.
 3. Ensuring finished ground floor levels are raised at least 300mm above the existing ground levels at the site
 4. Maintaining overland flowpaths by keeping gaps between the buildings and allowing open pathways to the Puckeridge Tributary for surface water to flow.

The mitigation measures 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.

Reason

To prevent the increased risk of flooding, both on and off site.

5. No development shall take place until the final design of the drainage scheme is completed and sent to the Local Planning Authority for approval along with the evidence of the discharge feasibility.

The design of the drainage scheme shall also include:

1. Details of how the pond and the swale will take part to the attenuation strategy.
2. Detailed engineering details of the design of all the proposed SuDS components in line with The SuDS Manual (CIRIA C-753).
3. Confirmation of permission to connect discharge points into the Puckeridge Tributary from the Environment Agency.

Reason

To prevent the increased risk of flooding, both on and off site.

6. No development shall take place until an ecological mitigation and management plan that is based on the submitted Ecological Scoping Survey (Hillier Ecology, April 2016) has been submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure no net loss of biodiversity from the development in accordance with section 11 of the National Planning Policy Framework.

7. Visibility splays of 2.4 metres x 43 metres shall be provided and permanently maintained in each direction within which there shall be no obstruction to visibility between 0.6 metres and 2 metres above the carriageway.

Reason

To provide adequate visibility for drivers entering or leaving the site.

8. Tree/hedge retention and protection (4P05)
9. Provision and retention of parking (3V23) add "and turning of vehicles"
10. Details of a scheme for the allocation of the parking spaces to be submitted and agreed and therefore implemented.
11. Wheel washing (3V25)

12. Hard surfacing (3V21)
13. Landscape design proposals (4P12)
14. Landscape works implementation (4P13)
15. Hours of working – plant and machinery (6N054)
16. Prior to any above ground building works details of an acoustic fence of a minimum height of 2.3 meters along the western boundary of the site next to the A10 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 details.

Reason

To ensure appropriate provision for noise protection to future occupiers of the development in accordance with policy ENV25 of the East Herts Local Plan Second Review April 2007.

Informatives

1. Highway works (05FC2)
2. Street Naming an Numbering (19SN5)

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; the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The balance of the considerations having regard to those policies and the way in which the development will address housing land supply issues is that permission should be granted.

KEY DATA**Residential Development**

Residential density	30.9 units/Ha	
	Bed spaces	Number of units
Number of existing units demolished		2
Number of new flat units	1	
	2	
	3	
Number of new house units	1	4
	2	7
	3	10
	4+	8
Total		

Affordable Housing

Number of units	Percentage
11	37.9

Residential Vehicle Parking Provision

Current Parking Policy Maximum Standards (EHDC 2007 Local Plan)

Parking Zone		
Residential unit size (bed spaces)	Spaces per unit	Spaces required
1	1.25	5
2	1.50	10.5
3	2.25	22.5
4+	3.00	24
Total required		62
Proposed provision		64

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

Parking Zone		
Residential unit size (bed spaces)	Spaces per unit	Spaces required
1	1.50	6

2	2.00	14
3	2.50	25
4+	3.00	24
Total required		69
Accessibility reduction	<i>None considered appropriate</i>	
Resulting requirement		69
Proposed provision		64

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		37.9%	No difference as no policy requirement for affordable housing
Parks and Public Gardens	£9,809	£9,809	n/a
Outdoor Sports facilities	£27,152.50	£27,152	n/a
Amenity Green Space	£4,176.40	£0	No contribution as on site provision of amenity space
Provision for children and young people	£4,010	£4,010	n/a
Maintenance contribution - Parks and public gardens	£0	£0	No maintenance requirement as no on-site provision
Maintenance contribution - Outdoor Sports facilities	£0	£0	No maintenance requirement as no on-site provision

Maintenance contribution - Amenity Green Space	£0	£0	n/a
Maintenance contribution - Provision for children and young people	£0	£0	No maintenance requirement as no on-site provision
Community Centres and Village Halls	£7,247	£7,247	n/a
Recycling facilities	£2,088	£2,088	n/a