

**5b 3/10/1522/FP – Erection of 58 residential units, associated parking, access, amenity space and landscaping, at Wallace Land, Buntingford Road, Puckeridge for Fairview New Homes Ltd**

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**Date of Receipt:** 20.08.2010

**Type:** Full – Major

**Parish:** STANDON

**Ward:** PUCKERIDGE

**RECOMMENDATION**

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

- To provide 23 units of affordable housing with 12 Social rented and 11 intermediate dwellings;
- To provide 15% Lifetime Homes;
- £94,625 towards improvements to bus stops and improvements to sustainable transport initiatives;
- £126,092 towards Middle Tier Education;
- £93,150 towards Upper Tier Education;
- £22,803 towards Nursery Education;
- £9,006 towards Childcare;
- £2,762 towards Youth facilities;
- £10,384 towards Libraries;
- £8,210 towards children and young people open space provision to provide improvements to the existing play area within the vicinity of the site;
- £14,837 towards improvements to the existing Standon and Puckeridge community centre;
- To establish management arrangements for private roads and landscaped amenity areas within the development site;
- £300 standard monitoring fee.

planning permission be **GRANTED** subject to the following conditions:-

1. Three Year Time Limit (1T121)
2. Programme of archaeological work (2E023)
3. Levels (2E051)
4. Samples of materials (2E123)

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5. Prior to the commencement of the development, a scheme for the protection of dwellings against external noise shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for sound attenuation of dwellings in accordance with the Noise Assessment SKM Environs dated 17 August 2010. All works which form part of the scheme shall be completed prior to the occupation of the development.

Reason: To ensure that an adequate level of amenity for residents of the dwellings in accordance with policy ENV25 of the East Herts Local Plan Second Review April 2007.

6. Refuse disposal facilities (2E243)
7. Wheel washing facilities (3V251)
8. Construction hours of working – plant and machinery (6N072)
9. Construction parking and storage (3V234)
10. All existing trees, hedges and hedgerows shall be retained, unless shown on the approved drawings as being removed. All trees, hedges and hedgerows 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 relevant British Standards, 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, hedges or hedgerows 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, hedge or hedgerow 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, in accordance with policies ENV2 and ENV11 of the East Herts Local Plan Second Review April 2007.

11. Tree/natural feature protection: fencing (4P075)
12. Notwithstanding the details shown on the approved drawings, no development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the

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local planning authority and these works shall be carried out as approved. These details shall include a) means of enclosure; b) hard surfacing materials; c) planting plans; d) schedules of plants noting species, planting sizes and proposed numbers/densities and e) a timetable for implementation.

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

13. All hard and soft landscape works shall be carried out in accordance with the details approved pursuant to Condition 12. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the local planning authority. Any trees or plants that, within a period of 5 years after planting are removed, die or become damaged or defective shall be replaced with others of the same species, size and number as originally approved unless the local planning authority has given 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 policy ENV2 of the East Herts Local Plan Second Review April 2007.

14. No development shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles, and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. This shall include surface water run-off management through soakaways and how surcharge water will be contained within the site boundary. The scheme shall be implemented in accordance with the approved details prior to occupation of the development.

Reason: To minimise the risk of flooding in accordance with policies ENV19 and ENV21 of the East Herts Local Plan Second Review April 2007 and PPS25 'Development and Flood Risk'.

15. Before first occupation of the approved development, all access and junction arrangements serving the development shall be completed in accordance with the approved plans and constructed to the specification of the Highway Authority.

Reason: To ensure that the access is constructed to an appropriate specification in the interests of highway safety and convenience.

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16. The minimum width of internal estate roads shall be 4.1 metres clear of any dedicated parking area.

Reason: To ensure the safe and free movement of vehicular traffic within the site.

17. Retention of parking spaces (3V204)

18. Vehicular use of garage (5U10)

19. Prior to first occupation of the development hereby approved, provision of facilities for cycle storage shall be submitted to and approved in writing by the Local Planning Authority. Such facilities shall be implemented thereafter in accordance with the approved details.

Reason: To promote alternative modes of transport in accordance with policy TR14 of the East Herts Local Plan Second Review April 2007.

20. There shall be no pedestrian access onto Mentley Lane East. Detailed plans showing means of enclosure to prohibit pedestrian access between the site and that road and a timetable for implementation of that enclosure shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The boundary treatment shall thereafter be implemented and maintained in accordance with the approved details.

Reason: To reduce the potential for additional vehicle usage or parking along Mentley Lane East in the interests of highway safety and convenience.

### Directives

1. Other Legislation (01OL)
2. Planning Obligation (08PO)
3. Street Naming and Numbering (19SN)
4. Highways Works (05FC2)
5. The presence of any significant unsuspected contamination that becomes evident during the development of the site shall be brought to the attention of the Local Planning Authority.

**Summary of Reasons for Decision**

The proposal has been considered with regard to the policies of the Development Plan (Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and the 'saved' policies of the East Herts Local Plan Second Review April 2007), and in particular policies SD1, SD2, HSG3, HSG4, HSG6, TR1, TR2, TR7, TR8, TR14, ENV1, ENV2, ENV3, ENV9, ENV11, ENV16, ENV19, ENV21, ENV25, BH1, BH2, BH3, BH6, OSV1, OSV5 and IMP1. The balance of the considerations having regard to those policies is that permission should be granted.

\_\_\_\_\_ (152210FP.MP)

**1.0 Background**

- 1.1 The application site is shown on the attached OS extract and comprises an open plot of land located on the northern edge of the settlement of Puckeridge, to the west of Buntingford Road.
- 1.2 The site is bordered to the south by Mentley Lane East and the west and north by the A10. To the east of the site is Buntingford Road, and residential dwellings along that road.
- 1.3 The site lies within the Category 1 village boundary which surrounds Puckeridge and was allocated as a Reserve Housing site in the Second Review Local Plan April 2007. The Council has since released its Reserve Housing Sites for development in order to meet a continuous five year supply of housing.
- 1.4 The development proposes 58 no. dwellings, 35 of which are open market dwellings (comprising 2 no. 2 bed houses, 22 no. 3 bed houses and 11 no. 4 bed houses) and the remaining units being affordable (comprising of 11 no 2 bed flats and 12 no 2 bed houses). The houses will comprise a mix of flats, terrace, semi-detached and detached dwellings. The development will be mostly two storey with some 2½ and 3 storey buildings along some of the terraces. The application also proposes that 15% of the properties will be built to lifetime homes standards.
- 1.5 Parking is proposed to be provided through a mix of garage parking, on-street and lay-by parking, and rear courtyard parking. All dwellings are proposed to have private rear gardens with some front garden areas also proposed. Various green amenity spaces are proposed throughout the development, including the more significant 'village green' located on the eastern boundary of the site.

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- 1.6 Access to the site is proposed off Buntingford Road to the north of 31 Buntingford Road via a new proposed 'T' junction. There are several existing trees that will need to be removed in order to facilitate that access. That access is the sole route into the development site and branches off at two small squares, which have differing road services to delineate the different routes around the development site.

## **2.0 Site History**

- 2.1 There are two planning applications relevant to the site; LPA reference E/1953-65, in which planning permission was refused for the erection of a house towards the southern end of the plot and LPA reference 3/1214/88/ZA, in which an application for the redevelopment of the site was withdrawn.
- 2.2 These applications however pre-date the allocation of the site as a Reserve Housing site in the Local Plan.

## **3.0 Consultation Responses**

- 3.1 The Housing Development Manager has commented that it is anticipated that the developer will provide 40% affordable housing at 75% rented units and 25% intermediate housing units – which represents 23 units for affordable housing – 17 rented and 6 intermediate. In the rented accommodation there should be 5x1 bed flats, 6x2 bed units and 6x3 bed units. The intermediate housing should have a similar mix.
- 3.2 Herts Biological Records Centre recommend that planning conditions are attached with any grant of permission including, no development within a 30 metre radius of the underground lime kiln entrance on Mentley Lane East (in order to protect against possible impact on bats), landscape planting should include native species to benefit wildlife, bird and bat boxes should be installed around the site and, lighting levels should be controlled so as to avoid the impact on wildlife.
- 3.3 Herts and Middlesex Wildlife Trust comment that they support the conditions recommended by HBRC.
- 3.4 Thames Water have commented that, with regards to surface water drainage, this is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. Thames Water recommend that, in respect of surface water, the applicant should ensure that storm flows are attenuated or regulated into the sewer system. Where discharge into a public sewer is required, this will require consent from Thames Water.

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3.5 Environmental Health comment that almost one third of the application site is within the noise category zone C. Environmental Health set out that the proposed development should be assessed with regards to Planning Policy Guidance 24: Planning and Noise, which states that where dwellings fall into such a noise category, planning permission should not normally be granted. However, where it is considered that permission should be given, for example, when there are no alternative sites available, conditions should be imposed to ensure that there is a commensurate level of protection against noise. Environmental Health have commented that, with regards to the noise report submitted, it would appear that the applicant has suitably considered the noise from the A10 and the development has been designed so that future residents are affected as little as possible by road noise. Environmental Health are of the opinion that the noise impact from the road should not adversely impact on future residents. The Environmental Health Officer recommends conditions relating to construction hours of working, dust, bonfires, soil decontamination, refuse disposal facilities and piling works.

3.6 The County Council Planning Obligations Team seek financial contributions as follows:

- £126,092 towards Middle Tier Education;
- £93,150 towards Upper Tier Education;
- £22,803 towards Nursery Education;
- £9,006 towards Childcare;
- £2,762 towards Youth facilities;
- £10,384 towards Libraries;

The Officer comments that the figures are based upon the Planning Obligations Guidance Toolkit and on the current service information for the local area.

3.7 The Council's Engineers comment that the site is located entirely within flood zone 1 and is therefore away from fluvial flood risk zones (zones 2 and 3). The site has no records of historical flooding. The Engineers comment that there is limited information submitted with the application regarding surface water drainage and, based on such information the proposal may increase flood risk in the area.

3.8 The Environment Agency raise no objection subject to the imposition of a condition relating to the submission of a surface water drainage scheme.

3.9 The Historic Environment Unit at HCC comment that the development site is in Area of Archaeological Significance 94, which includes very substantial evidence of Late Iron Age, Roman and Medieval occupation,

including the internationally important Town at Braughing/Puckeridge and the medieval settlement of Puckeridge.

The site was the subject of an archaeological field evaluation in June 2010 via field trenching to assess the potential of the site. The investigation established that at least half of the site contains extensive and well-preserved archaeological remain of Roman date. Further investigation will therefore be required to provide further information regarding the full extent and complexity of the archaeological remains. In this respect the Archaeologist considers the development should be regarded as likely to have an impact on heritage assets of archaeological interest, and a condition for a programme of archaeological work is therefore recommended.

- 3.10 The Landscape Officer comments that the proposal will not result in significant impact on existing trees within the site. The Officers comments that the proposal is acceptable in terms of layout and broad landscape proposals, and recommends that planning conditions relating to hard and soft landscaping are attached to any grant of permission.
- 3.11 The Conservation Officer recommends approval of the application. The principle character of the historic core of Puckeridge is reflective of its past as a 'trade route' between London and the North resulting in the High Street and Buntingford Road being the historic spine of the village, the majority of which falls within the designated Conservation Area. The architectural and historic character of the area is predominantly made up of buildings which front and follow the contour of the road, resulting in a uniformed mass. The design of these buildings varies between narrow fronted cottages, formal houses and coaching inns, constructed and dressed in materials local to the area – a relationship which is strengthened by the horizontal rhythm of the windows.

North of the village and the Conservation Area, the character varies in that the mass and high density found in the High Street and Buntingford Road gradually reduces, with the introduction of a large open 'green' space located to the north east adjacent to the White Hart Pub. In addition, the farmland known as 'Wallace Land' (subject to this planning application) is also included within the Conservation Area – however its contribution to that designated area is considered less significant.

The development site is set back from the 'historic spine' which reduces its impact on the appearance on the Conservation Area and open green space. Development along the entrance to the site has addressed its potential impact by being set back from the street, partly screened by vegetation and following the pattern of existing development.



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The overriding alignment of dwellings is north-south with the buildings fronting a defined street scene – reflective of the wider area. There is an element of east-west alignment which addresses Mentley Lane East – which is not unusual in context, when considering other existing backland infill development, such as Lunardi Court.

There is a varied palette of architectural detail and use of materials, which is considered to add interest to the development and reflect the essential architectural and historic character and appearance of the Conservation Area.

It is inevitable that any form of development on this site will impact on the existing character and appearance of the town. However, the development now proposed is architecturally varied which respects the alignment, mass and local distinctiveness of the area as a whole.

- 3.12 Hertfordshire County Highways comment that they do not wish to restrict the grant of permission. The Highways Officer comments that Highways are aware of the local opposition to the scheme, particularly the highway concerns. They set out that additional information from the applicant has been submitted to address those concerns which, in relation to the original Transport Assessment and the Supplementary TA accurately reflect the highway considerations and in the opinion of the Highway Authority address any concerns raised.

The junction of estate road access to the site onto Buntingford Road has been the subject of an independent safety audit and the problems raised therein have been addressed in the formal submission or can be addressed either by planning condition or within the required Highways Act agreement post planning. In particular the concern raised by local residents, that queuing vehicles on Buntingford Road may block access to the estate road can be addressed by the inclusion of 'KEEP CLEAR' markings at the detailed design stage.

The developer has confirmed that the on-site estate roads will not be offered for adoption as public highway as the developer intends to operate a management company to administer and maintain common areas not taken over by the local authority. The Highways Officer confirms that this approach is acceptable to the Highway Authority.

With regard to the layout, despite the non-adoption, the scheme has largely been prepared in compliance with the HCC design guide 'Roads in Herts' and the DfT publication 'Manual for Streets'. The estate layout allows for access for refuse collection, service and emergency vehicles.

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The Highways Officer comments that, during the process of the application the parking arrangement for plots 1, 2 and 3 has been revised to reduce the risk of parked vehicles obstructing the entrance to the site. In light of that, the Highways Officer is of the opinion that parking proposed at a rate of 2 spaces per dwelling is adequate. Capacity exists within the proposed carriageways to accommodate additional visitor parking and as such any risk of overspill onto the public highway is negligible.

The Highways Officer notes that the development proposes a pedestrian link onto Mentley Lane East (MLE). This is a concern as it may result in additional vehicle traffic along this narrow lane and present a convenient parking opportunity to residents of the nearest dwellings. MLE is a narrow, shared surface, no through road serving just a handful of dwellings. Driver visibility at the junction with Buntingford Road is restricted and as such any increase in vehicle usage would not be in the best interests of highway safety. Consequently the Highways Officer recommends that such a pedestrian link is removed through a planning condition.

With regard to sustainable transport issues the site does have access to some local amenities but is not ideally located at the edge of the village. Nevertheless the site is within recognised walking distances to the nearest bus-stops which provide a service to the nearest rail station at Hertford. Consultation with the County Passenger Transport Unit has identified that the nearest bus-stops require improvements.

In view of the above, the Highways Officer considers that it is not unreasonable for the development to make a financial contribution towards accessibility and the promotion of sustainable transport measures. In this respect and in compliance with guidance contained in Circular 05/05, PPG 13, and East Herts Local Plan Policy IMP1, the highway authority, seek financial contributions to promote sustainable transport measures/schemes or to implement schemes identified in the local transport plan based upon the guidance contained in the HCC Planning Obligations Toolkit. With regard to the development the appropriate contribution is £94,625. Made up of £29,000 improvements to the bus-stops (first strand) and £65,625 (second strand) toward improvements to sustainable transport initiatives identified in the Local Transport Plan.

#### **4.0 Parish Council Representations**

- 4.1 Standon Parish Council object to the proposed development for the following reasons:-

##### **Sustainability and overdevelopment of the site**

The proposed development is not considered to be small scale and not in

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accordance with policy OSV1 of the Local Plan. The scale of the development is not considered to be sustainable as there is insufficient infrastructure in terms of schools, doctor surgeries or roads to cope with the level of development proposed.

#### Flood risk

The area is prone to flooding and the proposed soakaways to deal with surface water drainage are insufficient. The existing sewage system is not sufficient.

#### Insufficient parking provision

There are existing parking problems along the High Street and Buntingford Road and the proposed development and lack of parking will increase these problems to the detriment of highway safety.

#### Impact on highway safety

The proposed access is in close proximity to a dangerous access with Braughing Road – the proposed development and associated additional traffic movements will increase the risk. The proposed dwellings fronting onto Mentley Lane East will encourage people to park along that road, which will increase traffic movements along that road. Mentley Lane East has a dangerous junction with the main road and the proposed development will result in an impact on highway safety.

#### Other matters

There is an insufficient mix of housing such as bungalows to cater for elderly people. Inadequate security and noise buffer fencing is proposed around the development site.

- 4.2 In addition to the above, the Parish Council also consider that, in light of the recent consultation on the issues and option for the Local Development Framework, any decision to grant permission on this site would be premature, and there may no longer be a need for housing on this site.
- 4.3 The Parish Council recommend that, should planning permission be granted this should be subject to the following:-
- The provision of a roundabout to replace the proposed 'T' junction;
  - The provision of a Traffic Regulation Order (TRO) along Mentley lane East to restrict parking;
  - A noise barrier along the A10 bypass;
  - The provision of a building or land for the provision of a Scout hut;
  - Contributions towards replacement play equipment at the local recreation ground;
  - Upgrading of the bus shelter opposite the development site.

**5.0 Other Representations**

5.1 The applications have been advertised by way of press notice, site notice and neighbour notification.

5.2 110 letters of representation have been received including a petition signed by 35 people which can be summarised as follows:-

- Overdevelopment of the site;
- Increase in population of the village;
- Out of character with the locality and Conservation Area;
- Insufficient parking provision;
- Increased traffic congestion;
- Impact on highway/pedestrian safety;
- Impact on neighbour amenity;
- Flood risk;
- Insufficient infrastructure to cope with additional houses – such as schools, doctor surgeries;
- Impact on local wildlife;
- Impact on archaeological features;
- Impact on sewerage network;
- The development should include a community building for residents such as a new Scout building.

5.3 One letter of support has been received.

**6.0 Policy**

6.1 The relevant saved Local Plan policies in this application include the following:-

SD1	Making Development More Sustainable
SD2	Settlement Hierarchy
HSG3	Affordable Housing
HSG4	Affordable Housing Criteria
HSG6	Lifetime Homes
TR1	Traffic Reduction in New Developments
TR2	Access to New Developments
TR7	Car Parking – Standards
TR8	Car Parking – Accessibility Contributions
TR14	Cycling – Facilities Provision (Residential)
ENV1	Design and Environmental Quality
ENV2	Landscaping
ENV3	Planning Out Crime – New Development

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ENV9	Withdrawal of Domestic Permitted Development Rights
ENV11	Protection of Existing Hedgerows and Trees
ENV16	Protected Species
ENV19	Development in Areas Liable to Flood
ENV21	Surface Water Drainage
ENV25	Noise Sensitive Development
BH1	Archaeology and New Development
BH2	Archaeological Evaluations and Assessments
BH3	Archeological Conditions and Agreements
BH6	New Development in Conservation Areas
OSV1	Category One Villages
OSV5	Reserve Housing Land – Category 1 Villages
IMP1	Planning Conditions and Obligations

6.2 In addition to the above it is considered that the following national planning statements are considerations in determining this application:-

Planning Policy Statement 1 'Delivering Sustainable Development'

Planning Policy Statement 3 'Housing'

Planning Policy Statement 5 'Planning for the Historic Environment'

Planning Policy Guidance 13 'Transport'

Planning Policy Guidance 17 'Planning for Open Space, Sport and Recreation'

Planning Policy Statement 23 'Planning and Pollution Control'

Planning Policy Statement 25 'Development and Flood Risk'

## **7.0 Considerations**

7.1 The planning considerations in respect of this application relate to the following issues:-

- Principle of development
- Appropriateness of the site having regard to noise issues
- Impact on surrounding area and Conservation Area
- Neighbour amenity
- Highways matters etc
- Planning Obligations

### **Principle of development**

7.2 The site lies within the Category One Village of Puckeridge and is identified in the East Herts Local Plan Second Review April 2007 as an allocated housing site under Policy OSV5.

- 7.3 In accordance with Policies HSG2 and OSV5, Reserve Housing sites will only be brought forward if monitoring shows a shortfall in the delivery of housing land supply. On 10<sup>th</sup> December 2008, the Council agreed to bring forward for development the Local Plan Reserve Housing sites and the Areas of Special Restraint to ensure a continuous five year supply of housing land as part of its Annual Monitoring Report (AMR). The requirement to have an adequate supply of housing land remains and thus, there is no in-principle objection to the development.

### **Noise issues**

- 7.4 The development site is in close proximity to the A10 bypass, which is a significant constraint to the development of the site. Policy ENV25 of the Local Plan sets out that noise sensitive development such as new homes, should not be exposed to noise nuisance from existing noise generating sources. Policy ENV25 requires a consideration of development proposals under the noise exposure categories, as set out in PPG24 (Planning Policy Guidance 24: Planning and Noise).
- 7.5 A noise survey has been submitted with the application which assesses that, under the noise categories of PPG24, the development site predominantly falls within the NEC B (Noise Exposure Category) to the north eastern boundary and NEC C to the north western boundary. PPG24 sets out that, within NEC B, noise should be taken into account when determining planning applications and, where appropriate, planning conditions should be imposed to require an adequate level of protection against noise. Within NEC C, as recognised by the Environmental Health Officer, PPG24 states that where dwellings fall into such a noise category, planning permission should not normally be granted. However, PPG24 does say that, where it is considered that permission should be given, for example, when there are no alternative sites available, conditions should be imposed to ensure that there is a commensurate level of protection against noise.
- 7.6 In this case, the application site is designated for housing development under policy OSV5 of the Local Plan and has gone through the Local Plan Inquiry process in which the acceptability of the site has been fully assessed. It is reasonable therefore to say that there are no more appropriate locations to meet the identified housing need within the locality.
- 7.7 From the information submitted within the noise assessment and Design and Access Statement, it is shown how the development has been designed to take into account the NEC's. The development involves the provision of single aspect dwellings facing onto the A10 bypass (plots 20-34). The applicant has outlined that the elevation of the building fronting

onto the A10 will be constructed using a structure with limited penetrations for windows and an acoustically treated ventilation system. Additionally, noise sensitive rooms, such as bedrooms and living spaces are located on away from the dominant noise source – the A10. Environmental Health are of the opinion that the measures taken are acceptable and the proposed development will not result in significant harm in terms of noise impact to future residents. To ensure that those measures are undertaken by the developer and in accordance with the requirements of PPG24, a planning condition is recommended requiring the submission of appropriate details relating to noise mitigation measures. For the reasons set out above, such a planning condition is necessary and reasonable.

- 7.8 Members should also note that the design of the scheme and the location of the dwellings in relation to the A10 will also have other benefits in reducing the impact of road noise to the application site as a whole and beyond to other residential properties along Buntingford Road.

### **Density/layout**

- 7.9 The proposed development is for the provision of 58 dwellings which equate to 37.5 dwellings per hectare(dph). This is above the number of dwellings indicated in policy OSV5, which estimates that the site could accommodate 47 dwellings. Members should note that the number of dwellings indicated in policy OSV5 is based upon the indicative density requirements of Planning Policy Statement 3, which has since been omitted by the Coalition Government. It is nevertheless remains a key priority, as set out in PPS3, to ensure the efficient use of land. What must be considered is whether the proposed development makes efficient use of land without harmful impact and is in keeping with the character and grain of development within the locality.
- 7.10 The applicant has provided an assessment of notional areas within the locality, in assessing density. The density of the proposed development at this site is 37.5 dph. The applicant sets out that within areas in the locality – within the Conservation Area and to the South of the application site that such a density is not dissimilar to that proposed in this application. Density figures should not however, in Officers opinion, be solely relied upon in assessing the impact of development on the character and appearance of the area.
- 7.11 The layout of the site has, in Officers view taken into account the existing grain of development within the village locality. The historic layout of Puckeridge is largely linear, with buildings generally following the contour of the principle road (Buntingford Road/High Street) which dissects the northern part of the village. Those dwellings are generally of a terraced

form and provide a more or less continuous frontage. The actual size of dwellings varies, as do the size and shape of rear gardens. The imposition of the A10 bypass has, in some respects, acted as an outer edge to the expansion of the village. Branching off from the principle road are the modern estates of Lunardi Court and Huntsman Close, which infill the gap between the historic edge of the village and the bypass. Those developments are characteristic of their era in layout terms, and provide a more intricate layout and a departure from the more linear grain of the historic core of the village. Officers would however stress that those modern developments are not located within the Conservation Area.

- 7.12 The applicant comments that the built fabric and layout of the village has changed incrementally over the passage of time creating a meandering, organic quality, largely as a result of accident and chance where wide and narrow frontage buildings of varied scale line the principal route of the village.
- 7.13 The proposed development fronts onto the principal route in the village and adds to the existing 'active' frontage with the provision of a row of two terraces and a single dwelling – this the Conservation Officer considers to be acceptable.
- 7.14 Internally there is a meandering flow of narrow roads shared with parallel parking – reflective of the character of the principal road – Buntingford Road and the High Street. Those roads interlink to small squares which provide the transition between built form and other access routes, and break the flow of the access roads. The narrowness of the roads and the provision of parallel parking is considered to follow the form and layout and local distinctiveness of development within the locality. As noted by the Conservation Officer, the density and mass of dwellings to the north of the village gradually reduces when compared to the main core of the village to the south. However, the positive features of the historic core which are identified as an asset to the Conservation Area, such as the uniform mass of buildings which front and follow the contour of the road have been assimilated within the application site. In this way the development site reflects the local distinctiveness but also provides a different more open aspect with the provision of amenity spaces, located intermittently within the development – the most significant being what the developer describes as the 'village green'. This space serves many functions in planning terms:- principally it allows significant spacing to neighbouring properties, but also allows a large amenity space for future residents, and breaks the form and grain of development.



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- 7.15 That public amenity space is significant and is of great benefit to the development. Private amenity space, whilst less generous, does, in Officers opinion provide an appropriate level of space in accordance with policy ENV1, and allows for an appropriate spacing between and around dwellings.
- 7.16 The predominant layout of dwellings is that of terraces, which reflects the broad majority of dwellings within the locality – that along Buntingford Road and High Street. The provision of significant levels of terraced properties inevitably reduces the level of spacing between properties – this is however felt to be reflective of the character of the locality and is thus considered to be acceptable, and in accordance with the requirements of policy ENV1 a) and b).
- 7.17 In accordance with the above considerations, the proposed development is not considered to be cramped or overdeveloped but in line with the general flow, rhythm and character of development within the locality. The proposal is, in this respect considered to be acceptable in terms of its density and layout.

#### **Design and appearance of the development**

- 7.18 The applicant has acknowledged the ‘additive’ nature of the local vernacular, which is apparent in the varied scale and height of buildings within the street scene – with narrow fronted two storey and one ½ storey cottages set against wide-fronted country houses. The additive nature is compounded by the palette of materials with several types of bricks and many shades of differing render.
- 7.19 The proposed development had addressed the existing character of the village with a similar scale, form and design. The principal elevations of the development, namely, along Mentley Lane, Buntingford Road and internally facing onto the amenity green space, provide a mixed variety of dwellings of differing heights, roof forms, width of frontages, palette of materials and alignment. This is despite the boundary treatment required to Mentley Lane East (see Highway issues below). The resultant impact is, to a degree, a pastiche; albeit a positive pastiche which embraces the positive features of the local vernacular and assimilates it into a coherent order of development which is considered to be appropriate in this location.
- 7.20 The application site lies partly within the Conservation Area and a consideration of the impact on that area is required. The Conservation Officer considers that the area of the development site within the Conservation Area is less significant than the surroundings, having regard in particular to the way in which the parcel of land is severed from the Conservation Area.

- 7.21 In any event, it has been demonstrated that the proposed development has adopted many of the positive characteristic features of the locality, such as the layout of dwellings and streets, the provision of a uniform mass of buildings with differing forms, heights and materials of construction, together with the provision of open amenity spaces. The effect therefore is to create a development which is respectful and sympathetic of the Conservation Area and enhances the value and character of the wider area, in accordance with policy BH6 of the Local Plan and PPS5.
- 7.22 It is considered to be necessary that, to ensure that a high quality development is implemented, that the materials of construction are of an appropriate quality and mix, which can be agreed through the recommended planning condition.

### **Neighbour amenity**

- 7.23 With regards to the impact on properties to the east of the application site, namely, 1-3 Chequers Close and 23-31 Buntingford Road, it should be noted that the amenity space serving the development backs onto the rear boundary of those properties. This means that there is a distance of over 35 metres between the rear elevation of those properties and the nearest built form of development. In this respect the proposal will provide an appropriate spacing such that there will not be a significant impact in terms of overbearing, loss of light or loss of privacy. Number 31 Buntingford Road has a side boundary onto the application site. However, the proposed dwellings backing onto or side onto that boundary, are considered to be of an appropriate distance and relationship such that there will not be a significantly detrimental impact.
- 7.24 With regards to 41-47 Buntingford Road, the rear elevation of those properties are over 20 metres from the rear elevation of the proposed dwellings, with trees proposed along the boundary. Additionally, it should be noted that a parking area is proposed to the west of those properties, which will retain a degree of openness and outlook from the rear elevation of the existing dwellings. In accordance with those considerations the proposed development will not result in a significant impact on those properties that would warrant the refusal of the application. It is noted that the parking space backing onto 41-47 Buntingford Road will involve traffic movements commensurate with the level of parking proposed – 11 spaces, which may result in a degree of impact on neighbour amenity in terms of noise and nuisance. However, having regard to the level of parking, and the relationship with the existing road, the degree of impact is acceptable, in this case.

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- 7.25 Officers have also considered land levels. Whilst there are some changes in level, the land sloping upward to the west, these are not considered to be so significant such that the relationship is not acceptable. A condition requiring the details of the level of the new dwellings is proposed.
- 7.26 There are two properties along Mentley Lane East which require consideration – no 9 and Hawthorns. With regards to no.9 Mentley Lane, this property fronts onto the southern boundary of the development site, where there is a row of 6 dwellings also fronting onto Mentley Lane East. There is a distance of 16 metres (as a minimum) between the proposed dwellings and number 9. Taking into account the distance and that this is not an area where significant privacy is expected, Officers do not consider that there will be a significantly detrimental impact on no9 Mentley Lane East. With regards to Hawthorns, it is noted that there is a parking area serving 8 cars along the western boundary of that property, and a further distance of 13 metres to the flank elevation of the nearest property. Having regard to the level of parking, and the distance and relationship of the development with that neighbouring property, Officers do not consider that there will be a significant impact.
- 7.27 In accordance with the above considerations it is Officers opinion that the proposed development will not result in a significant impact on existing neighbour amenity that would warrant the refusal of the application.
- 7.28 Internally, Officers are of the opinion that the development proposes appropriate internal distances and relationships between dwellings. In this respect, the development provides appropriate levels of amenity between proposed dwellings in accordance with policy ENV1.

### **Landscaping and trees**

- 7.29 There are a number of trees, hedges and hedgerows within, and surrounding the site which, for the most part are proposed to be retained. Those trees which are proposed to be removed are generally located within the area proposed for the access off Buntingford Road. The Landscape Officer raises no objection with their removal. Those trees, hedges and hedgerows which are proposed to be retained do however have an important role to play in bedding the development within the surroundings and providing amenity for future and existing properties. Some of the trees are protected by Conservation Area legislation whilst others are not. Nevertheless, given the importance of those landscape features in the implementation of the development, it is considered to be necessary and reasonable to attach planning conditions requiring the retention protection of those trees, hedges and hedgerows.

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7.30 Other landscape features within the development site include various pockets of trees and small amenity areas to soften the impact of the development. The most significant amenity space is the 'village green' which is sited to the east of the site and backs onto 1-3 Chequers Close and 23-31 Buntingford Road. That space is considered to provide a beneficial relief from the built form of development. Nevertheless, there is limited information regarding the specific landscape design of those elements, however this is a matter which could be considered through the submission of further details as part of a planning condition.

#### **Flood risk**

7.31 Letters of representation comment that the area is subject to flooding and is a flood risk area. A Level 2 Flood Risk Assessment (FRA) has been submitted with the application which sets out that, in order to prevent the risk of any post development downstream flooding that surface water run off is attenuated by the use of SUDs (Sustainable Urban Drainage Systems) comprising of a number of soakaways. The site is located in a flood zone 1, the lowest level of risk. The Environment Agency have raised no objection to the development subject to a planning condition requiring the submission of a surface water drainage scheme.

7.32 The Council's Engineers have taken a view that, from the information submitted in relation to surface water drainage, there may be a flood risk. The comments from the Engineers are however based on the desirability of implementing above ground SUDs, which have advantages in maintenance rather than the soakaways proposed by the applicant. Officers acknowledge that the provision of below ground SUDs whilst not the most desirable way of dealing with surface water drainage are an acceptable solution. Officers acknowledge the concerns of the Engineers, but do not consider that refusal of planning permission on a potential flood risk as a result of a maintenance concerns with below ground SUDs is justified, in this case.

7.33 This is a matter which, in Officers opinion can be best resolved through the provision of planning conditions, as recommended by the Environment Agency. Such a condition is considered to be reasonable and necessary and in accordance with policy ENV21. The details submitted post application would mitigate against any flood risk associated with the proposed development.

**Highways / access**

- 7.34 A significant level of representations raise concern with the proposed access onto Buntingford Road, the pedestrian access onto Mentley Lane East (MLE) and the potential impact on Highway Safety.
- 7.35 The Highways Officer has however recommended approval of the application and considers that the information submitted reflects the highways situation and any concerns raised. An independent highway audit has been undertaken and the problems raised within that audit have been addressed through the submissions made in the planning application, by the planning conditions recommended and by the requirements the developer must meet under the Highways Act. The Highways Officers have set out that any concern with queuing vehicles on Buntingford Road blocking the access can be addressed with appropriate signage.
- 7.36 The internal road layout has generally been designed in accordance with Manual for Streets principles and uses shared surfaces where appropriate. The width of some of the internal roads does not however meet the specific requirements of the highway authority in terms of the width of the roads. This is however a minor detail, which does not significantly prejudice the layout of the site and can be adequately controlled through the recommended planning condition.
- 7.37 The Highways Officer recommends the provision of appropriate boundary treatment to the A10 bypass to ensure that there is no pedestrian access to that road. This is considered to be necessary, and can be adequately controlled through the recommended landscaping condition. The Highways Officer also raises concern with any pedestrian access onto Mentley Lane East and the potential to encourage additional parking and vehicle traffic along this road, which is not appropriate given the constraints of that road and visibility onto Buntingford Road.
- 7.38 Officers consider that any means of access onto Mentley Lane East from the development site could be restricted through appropriate hard boundary treatment which could be the requirement of a planning condition. The proposed design of the development at this point of the application site is, to a degree, based upon the relationship of the development with Mentley Lane East and the presence it provides on that road. As a result, Officers recognise that the provision of a boundary fence will dilute the design ethos of this part of the development, and the other benefits with such an access such as pedestrian access to the village. It is disappointing that such a condition is required.

- 7.39 On balance however, Officers consider that the Highway safety constraints outweigh the impact on the design of the development and, it is considered that the most appropriate way to deal with this issue is through a planning condition, requiring the provision of a physical expedient in the form of a boundary fence (which could be softened through the provision of appropriate soft landscaping), in order to restrict pedestrian access onto the road. Officers have considered other solutions to this matter, including the use of potential traffic regulation orders. However, short of entirely closing off the road, which would not be acceptable, no other solution seems evident.
- 7.40 A number of other planning conditions have been suggested by Highways and are set out at commencement of this report. Details of wheel washing and construction access and movements are considered reasonable and necessary in order to minimise impact on the public highway.

### **Parking provision**

- 7.41 Letters of representation raise concern that insufficient parking is proposed at the application site, given the rural location of the site and the lack of other means of transport. Concern is raised that a lack of parking may push parking into the surrounding road network, which will have a resultant impact on congestion on the surrounding highway network in and around Puckeridge.
- 7.42 The maximum requirements of policy TR7 for the proposed development is a total of 131.25 spaces. The application proposes however the provision of 116 spaces – which equates to 2 spaces per unit. Letters of representation raise concern that those 116 spaces cannot be found on the proposed plans. An amended plan received from the applicant however shows where those spaces are located.
- 7.43 Whilst the provision of 116 parking spaces is below the parking standards required in policy TR7 of the Local Plan, the proposed parking is just 15.25 spaces below the standard, which Officers would stress, is a maximum.
- 7.44 The Highways Officers comment that the level of parking provision is acceptable in this case and that capacity exists within the proposed carriageways within the site to accommodate additional visitor parking, and therefore the risk of any overspill onto the public highway is negligible. Whilst Officers therefore acknowledge the concerns raised by letter of representation, the refusal of planning permission on these grounds is not justified, in this case.

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7.45 The Highways Officer recommends a planning condition restricting the use of the garage to vehicles. Having regard to the requirements of policy ENV9, it is considered reasonable and necessary to restrict the use of those garages via a planning condition.

#### **Affordable Housing and Lifetime Homes**

7.46 The application includes provision for 23 units of affordable housing which represents a 39.7% provision in accordance with policy HSG3. The applicant has submitted a schedule of units, size and tenure, and has amended the scheme to reduce the 5 bed units to 4 beds.

7.47 The tenure mix is proposed as 52% social rented and 48% shared equity, rather than 75% and 25% respectively as set out in the Council's adopted Housing Strategy. The applicant has provided information regarding this matter which sets out that the tenure mix has altered during the process of the application due to the current economic climate, and that there is unlikely to be any significant grant funding for the affordable units, as a result of the comprehensive spending review issued by the Coalition Government.

7.48 Policy HSG4 states that the size, type and tenure of affordable housing will be determined by, amongst other things, the availability of public subsidy. Consultation with the Council's Housing Team indicates that, in the Puckeridge area, there is less demand for social rented units, having regard to recent developments in the immediate and wider locality. Accordingly, having regard to those considerations and the requirements of policy HSG4, it is considered to be acceptable in this case to accept the proposal for 52% social rented and 48% shared equity. Officers have considered whether it is appropriate for such a tenure mix to be reviewed as part of clause within any S106 agreement. However, in this case, given the acceptability of the level of provision proposed, Officers are of the opinion that such a clause is unnecessary.

7.49 The application also makes provision for 15% lifetime homes in accordance with policy HSG6; this will also need to form part of the legal agreement in order to ensure delivery.

#### **Financial contributions**

7.50 As the application is for 58 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.

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- 7.51 HCC have confirmed that they will require contributions towards primary, secondary and nursery education, childcare, youth and library facilities. This is based on the number of units and bedrooms proposed, and the figures 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 S122 of The Community Infrastructure Levy Regulations (CIL) 2010. It is noted that letters of representation comment that there is insufficient capacity in the existing schools to cope with such an increase in the population. The contributions recommended will therefore go towards future school expansion in the area.
- 7.52 A figure of £94,625 has been requested by County Highways towards Sustainable Transport Initiatives. This is formed of £29,000 as first strand contributions towards bus stops, and £65,625 as second strand contributions towards sustainable transport initiatives. These contributions will assist in improving existing sustainable transport infrastructure and is considered necessary in order to help mitigate against the highway impacts of this new development, and is in accordance with the HCC Planning Obligations Toolkit and Local Plan policy IMP1.
- 7.53 The East Herts Council SPD also requires standard contributions towards open space provision, children and young people, recycling facilities, community centres and village halls. The Council's PPG17 audit identifies that there are deficiencies in the provision of parks and public gardens, outdoor sports facilities, amenity green space and facilities for children and young people. It should however be noted that the PPG17 audit is not precise in how it assesses deficiencies in particular locations, such as outlying villages. What must therefore be considered is whether there is a need for such contributions arising from the development now being considered and where such contribution would be focused in order to mitigate against the impact of the development.
- 7.54 With regards to open space provision, it should be noted that the development allocates some 851.4sqm square metres towards an amenity green space within the site which would exceed the total area of provision required in the Council's Planning Obligations SPD. In this case, Officers do not recommend any contributions in respect of this issue. Furthermore, the applicant has indicated that such amenity land on site will be the subject to a private management arrangement – accordingly, it is not reasonable to seek any maintenance contributions for the amenity space either.
- 7.55 The Council's Environmental Services team, who are responsible for the maintenance and allocation of contributions towards such matters, have identified that, in Puckeridge there is an existing play area which is in need of improvement. The sum of £8,210 required in the Planning Obligation



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SPD for Children and Young People can reasonably be allocated to improvements to play equipment. The applicant has agreed to pay this contribution.

- 7.56 The Council's Environmental Services Team indicates that Puckeridge does not benefit from significant open spaces and has been unable to identify where money in respect of parks and public gardens can be allocated. In this respect, Officers do not consider that there is appropriate justification in seeking contributions towards parks and public gardens.
- 7.57 With respect to outdoor sports facilities, at the time of writing this report, Officers have not received any indication from the Community Planning Team, who have been in consultation with the Parish Council, as to whether there is a need for such monies to be spent in Puckeridge. Accordingly, as the matter stands, Officers do not consider that it is justified in seeking such contributions, in this case.
- 7.58 With regards to community facilities, the Community Planning Team have however been in contact with the Standon and Puckeridge Community Centre and it has been identified that there is a need for a new kitchen at the community centre for which the sum of £14,837 required in the Planning Obligations SPD could be allocated. It is understood that the existing Community Centre is used regularly throughout the day and evening for various activities. The proposed development is therefore considered likely to have a degree of impact on that facility and it is reasonable to seek contributions to the maintenance of that building.

#### **Archaeology**

- 7.59 The County Archaeological Officer has requested a condition to require a programme of archaeological work to be undertaken. A desk based study and Written Scheme of Investigation has already been submitted and this concludes that the development could potentially have an impact on archaeological remains. A condition is therefore recommended for a programme of archaeological work to be carried out, in accordance with policy BH3 and PPS5.

#### **Protected species – ecology**

- 7.60 Officers note the comments from HBRC in respect of the relationship of the development site with the nearby lime kiln. It is however noted that HBRC consider that the proposed development will not result in a significant adverse impact on those protected species. HBRC recommend a condition requiring that no development takes place within a 30metre radius of the kiln. In Officers opinion such a condition is not necessary as any

development within such an area would require planning permission, and any impact on protected species could be reasonably considered as part of any such application. The current planning application proposes the retention of a significant level of existing trees, hedges and hedgerows along Mentley Lane East and within the site. Those features are, as set above suggested to be protected via planning conditions, which would ensure the habitat for protected species is not adversely affected. In accordance with those considerations, I am of the opinion that proposed development will not result in significant harm to protected species.

## **8.0 Conclusion**

- 8.1 The application site is located within an allocated housing site. In principle the residential development of this site is acceptable. The proposed development has been designed in such a way as to protect against road noise impacts and thus accords with policy ENV25 of the Local Plan and PPG24.
- 8.2 The development is not considered to result in a cramped development or overdevelopment of the site. The proposal takes into account the layout and grain of development within the immediate and wider locality and adopts those characteristics in creating a well thought out, proportioned and balanced scheme which respects local distinctiveness and enhances the character of the Conservation Area. The proposed development is considered to be acceptable in access and parking terms and will not result in a significant impact on highway safety.
- 8.3 Planning Obligations are identified in this report as being necessary to mitigate the impact of the development on local infrastructure and, the provision of affordable housing will meet the local needs and the strategic targets of the Council in providing such levels of accommodation. These are matters which Officers advise are resolved through a S106 agreement in the normal way.
- 8.4 Subject to the signing of that S106 agreement and the provision of the suggested planning conditions, Officers therefore recommend that planning permission is granted.