

DEVELOPMENT MANAGEMENT COMMITTEE – 10 OCTOBER 2018

Application Number	3/18/0031/FUL
Proposal	Residential development comprising 35 units in total, with 12 affordable homes, serviced by a new estate road accessed from Farnham Road
Location	Land at Junction of Rye Street and Farnham Road, Bishop's Stortford
Parish	Bishop's Stortford
Ward	Bishop's Stortford Meads

Date of Registration of Application	8 January 2018
Target Determination Date	11 April 2018
Reason for Committee Report	Major application
Case Officer	Stephen Tapper

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 of Proposal and Main Issues

- 1.1. The proposal is for a development of 35 houses, including 12 affordable, on a prominent site on the corner of Farnham Road and Rye Street. In such a location a high standard of design and landscaping will be required.
- 1.2. The site was included in ASR4 of the Bishop's Stortford North housing allocation in the East Herts Local Plan Second Review April 2007. The policy background was rehearsed in consideration of an earlier application for 30 houses, granted on 18 October 2017 (3/16/0452/FUL) and a start has been made on site. The principle of development is therefore well established although the appropriateness of the mix of dwellings now proposed must be considered.

- 1.3. The earlier permission was subject to a section 106 agreement that secured mitigation in the form of contributions to social infrastructure and 12 affordable homes on the site. The current application also proposes 12 affordable homes together with financial contributions towards social infrastructure and a new section 278 (Highways Act) commitment to the construction of a footway/cycleway and a pedestrian crossing on Rye Street. Consideration must be given to whether a reduction in the proportion of affordable housing (from 40% to 34%) is acceptable in the context of an assessment of the viability of the development and the contributions and proposals as a whole.

2.0 Site Description

- 2.1. The application site of 1.45ha (3.58ac) is located to the northeast of Bishop's Stortford, close to the St Michael's Hurst housing development by Countryside Properties. The site is an 'L' shape at the corner of Farnham Road and Rye Street, which form the north eastern and south eastern boundaries of the site respectively. The site slopes gently upwards along Farnham Road and is approximately 2m above the level of Farnham Road and Rye Street, the boundaries to which comprise hedges. The elevated nature of the site makes it prominent in views from the surrounding area.
- 2.2. The new roundabout at the junction of Rye Street, Michael's Road, Hazel End Road and Morbury Avenue, (the St Michael's Hurst spine road) lies to the north of the site. As part of the works, Farnham Road has been realigned to form a junction with Morbury Avenue and its eastern end, which is immediately adjacent to the application site, has been closed and landscaped and includes a footpath connection with Rye Street.
- 2.3. To the west is open land that comprises disused allotments. The County Council has obtained planning permission for a 3FE primary school on that land to serve Bishop's Stortford North and the land

immediately adjacent to the application site would be used for playing fields. The southern boundary of the site adjoins the Farnham Bourne.

- 2.4. Until recently, the site comprised an open parcel of loose scrub and some denser vegetation. Recently, the applicant has commenced building works under the existing planning permission, which is identical to the current application at the southern end of the site.

3.0 Planning History

- 3.1. The following planning history is of relevance to this proposal:

Application Number	Proposal	Decision	Date
3/16/0452/FUL	Erection of 30 dwellings with associated access and landscaping on land at Farnham Road / Rye Street	Approved with conditions and section 106 agreement	30/10/17

4.0 Main Policy Issues

- 4.1. These relate to the relevant policies in the National Planning Policy Framework (NPPF), the adopted East Herts Local Plan 2007 (LP) and the Bishop's Stortford Silverleys and Meads Neighbourhood Plan (NP).

Main Issue	NPPF 2018	LP policy	NP policy
Housing mix	Para 61	HSG3 HSG4	
Design, landscaping and planning out crime	Para 127	ENV1, 2 ENV3 ENV11	GIP4, HDP2 HDP3
Access, parking, travel plans, cycling facilities	Ch 9	TR1,TR2, 4, 7, 14	TP1
Foul and surface water drainage	Para 165	ENV 19 ENV21	

Sustainable development	Ch 2	SD1	
Mitigation of impact on services and highways		IMP1	C1

- 4.2. District Plan On the 11 September 2018 the Secretary of State issued a holding direction under section 21A of the Planning and Compulsory Purchase Act 2004 (inserted by section 145(5) of the Housing and Planning Act 2016) on the adoption of the East Herts District Plan. The direction prevents the Council from taking any step in connection with the adoption of the Plan. The direction will remain in place until withdrawn or the Secretary of State gives a direction under section 21 of the 2004 Act in relation to the Plan. Section 21A of the Planning and Compulsory Purchase Act 2004 states that a document to which a direction relates has no effect while the direction is in force. Therefore no weight can be attributed to the District Plan whilst the holding direction remains in force.

5.0 Summary of Consultee Responses

- 5.1. HCC Highway Authority. No objections subject to conditions regarding the details of the access and streets and suitable drainage and a s.278 agreement with HCC to secure the provision of a footway/cycleway on the Rye Street frontage and a Puffin crossing on Rye Street, as shown on layout plan 366/P/001C (S.278 agreement and conditions 3-6 and 10 below).
- 5.2. Lead Local Flood Authority. No objections as long as the previously approved drainage strategy is implemented, comprising attenuation and discharge into the Farnham Bourne at greenfield run-off rates. This is achieved by means of permeable paving linked to two basins on the southern boundary of the site, with run-off from roads and parking flowing through a minimum of three treatment stages. Conditions 13-15 are recommended accordingly.

- 5.3. HCC Historic Environment Unit. In view of known historic settlement in the locality, a programme of archaeological investigation was carried out in connection with the previous application for 30 dwellings. The Historic Environment Advisor has informed confirmed that due to the absence of archaeological finds pre-dating the later post-medieval period, and the likelihood that the identified features are post-medieval in date, no further archaeological work is required.
- 5.4. HCC Minerals and Waste requests that a condition of planning permission is imposed requiring the submission of a site waste management plan in accordance with the County's Waste Policy 12. This aims to reduce the amount of waste produced on site and should contain information including types of waste removed from the site and where that waste is being taken to (Condition 10 below).
- 5.5. HCC Development Services. Financial contributions are sought towards primary and secondary education, youth and library services, as set out below in the legal agreements heads of terms.
- 5.6. EHDC Environmental Health Advisor. No objections subject to conditions regarding the submission of a construction management plan and an attenuation scheme for the houses to protect them from road noise and vibration (conditions 10 and 19 below).
- 5.7. Herts Fire and Rescue requires that fire hydrants are provided in accordance with the County's Planning Obligations Toolkit (S.106 obligation 10 below).
- 5.8. Thames Water requires the submission of a foul water drainage strategy and implementation details (condition 17).
- 5.9. Crime Prevention Design Advisor requests that Secured by Design principles are applied to the development.

- 5.10. Herts Ecology A Reptile Survey and Mitigation Strategy (revised March 2018) was submitted to discharge a condition of the previous application for 30 dwellings. One Common Lizard had been found on the site and a suitable relocation strategy has been agreed. This involves moving reptiles to Bat Willow Park, the new riverside park created by Countryside Properties on Hazel End Road. The condition was therefore discharged and the requirements have been fully implemented prior to the start of building works on site.
- 5.11. EHDC Housing Services the Housing Services Development and Strategy Manager understands that the scheme has been viability tested and 12 units of affordable housing (34%) forms part of the scheme. They say it is disappointing that the scheme has not achieved 40% but 12 units will provide a contribution to meeting housing needs. The scheme will provide 8 units for rent and 4 for shared ownership.

6.0 Town/Parish Council Representations

- 6.1. Bishop's Stortford Town Council. No objections
- 6.2. Farnham Parish Council. Objects on grounds of road safety, describing Farnham Road as being congested already and with poor alignment and width in the vicinity of the proposed access and no sight lines on the adjacent bend in the road. Two large vehicles cannot pass without mounting the footway or verges. The development will put at risk school pupils [when the proposed 3FE school adjacent to the site is completed]. It is suggested that access should be taken from the proposed access road into Stortford Fields, to the west of the site. Reference is made in the Draft District Plan to access to Farnham being a priority at all times, but the proposed development will exacerbate existing problems caused by development off Farnham Road.

7.0 Summary of Other Representations

- 7.1. The application has been advertised as a major development and neighbour notification letters were despatched but no third party representations have been received.

8.0 Consideration of Issues

Housing Mix

- 8.1. The National Planning Policy Framework 2018 (NPPF) states that councils should plan for the size, type and tenure of housing needed for different groups in the community. Para. 61 says *that includes the size, type and tenure of housing needed for different groups in the community ...(including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes).*
- 8.2. Policies HSG3 and HSG4 of the Local Plan (2007) require that on sites of 15 or more dwellings in the main settlements up to 40% of proposed housing development should be affordable housing, subject to the viability of the development. The Council's Strategic Housing Market Assessment (2015) states that the required housing mix in the District is currently as follows:

No. of bedrooms	% of Market	% of Affordable
1- and 2-bed flats	13	31
2-bed house	12	29
3-bed house	46	33
4-bed house	23	7
5+ bed house	6	0
Total	100	100

*Opinion Research Services West Essex and East Hertfordshire
Strategic Housing Market Assessment, 2015*

- 8.3. The applicants have applied for 35 dwellings, all of them houses. They have included 12 affordable, which is 34% of the total, with a split of 70% rented and 30% shared ownership. The mix is as follows:

No. of bedrooms	No. of Market	% of Market	No. of Affordable	% of Affordable
1- and 2-bed flats	0	0	0	0
2-bed house	0	0	7	58
3-bed house	12	52	5	42
4-bed house	8	35	0	0
5+ bed house	3	13	0	0
Total	23	100	12	100

- 8.4. No flats are proposed, but otherwise this mix aligns satisfactorily with the guidance in the SHMA, contributing to the stock of 2- and 3-bed houses in particular, across both sectors. This differs from the existing permission for 30 dwellings in so far as the market housing now includes more 3-bed houses at the expense of 4-beds, which comprised 22% and 78% respectively in the previous application. That had carried a negative weight in determining the application.
- 8.5. Finally, the Council has a policy that 15% of dwellings must be Lifetime Homes compliant and the Neighbourhood Plan requires 20%. The applicants have confirmed that all the dwellings will meet Lifetime Homes requirements, as modified by recent changes to the Building Regulations.

Design, landscaping and planning out crime

- 8.6. The revised NPPF attaches great importance to design in combination with the efficient use of land Planning policies and decisions should support development that makes efficient use of land, taking into account the desirability of maintaining an area's

prevailing character and setting, and the importance of securing well-designed, attractive and healthy places (para. 122).

- 8.7. The previous application had a density of 20.7 dwellings per hectare, which is commensurate with the outline planning permission relating to St Michael's Hurst where the approved parameters plan included densities of between 20-45 dwellings per hectare. The application now under consideration has a density of 24 dwellings per hectare, which is also well within those parameters.
- 8.8. The increase in density has been achieved mainly by changing the alignment of the road through the site to allow development on both sides of the road for part of its length. There has been a traditional approach to the design with pitched roofs, including some gables, dormer windows, bay windows, canopies over front doors and chimney stacks. A mixture of materials is proposed, including facing brickwork, cladding and hanging tiles. The overall elevational treatment is considered to be of a good quality, complementing the design and form of other development along Rye Street. The houses will sit well in proximity to the development on St Michael's Hurst.
- 8.9. A drawback of the two sided development is that the backs of plots 1 and 28-35 have a public face towards the roundabout and Hazel End Road and it would be unfortunate if in the future incongruous and poorly designed extensions were to spoil the appearance of the development as a whole. It is therefore recommended that if planning permission is granted, condition 18 is included, removing permitted development rights for two-storey and roof extensions and alterations to the rear of those plots.
- 8.10. As regards the landscaping of the site, plans have been submitted, which are for the most part satisfactory. However, the edges of the development need strengthening, in particular the north eastern boundary facing Hazel End Road and the boundaries to the

proposed school playing fields. Condition 8 is therefore recommended. Overall, positive weight can be given to design and landscaping.

- 8.11. The Crime Prevention Design Advisor is concerned that the developer has not engaged regarding Secured by Design accreditation. The applicant's response is that on this relatively small development the layout offers good surveillance between properties and that the Building Regulations now regulate hard security measures in the design of the buildings. Nevertheless, some negative weight should be applied to the lack of engagement.

Traffic and parking

- 8.12. Access to the site is unchanged from the previous approval and the Highway Authority has not objected to the development, subject to conditions, on the basis that the additional five dwellings will not add materially to traffic in the locality.
- 8.13. The road safety objection of Farnham Parish Council (para. 6.2) is noted, including the restricted width of Farnham Road at the point of access into the application site and the restricted sight lines on the bend in the road. However, the access is on the outside of the bend where the view of traffic on Farnham Road is not inhibited and it is expected that traffic speeds will be low. The proposed school entrance is far enough away that the two accesses will not interfere with each other and pupils will not be endangered. The Parish's suggestion that an alternative point of access would be available from the proposed link road in Stortford Fields between the A120 and Rye Street is not agreed because of difficulties with the changes in level, the need to bridge the Bourne and the poor location of such an access in proximity to the junction with Rye Street.
- 8.14. The County welcomes the provision of the cycleway and Puffin crossing on Rye Street that will connect the existing route from the

proposed school on Farnham Road and from St Michael's Hurst across Rye Street and into a potential new cycle path through the meadow lands and towards the town centre.

8.15. The proposed car parking provision is in line with the Council's Updated Vehicle Parking Standards, which offer a flexible approach to parking provision post-NPPF, particularly in respect of the use of maximum standards. The Updated Standards suggest that 90 spaces should be provided for the 35 dwellings overall, with a flexibility of a reduction of up to 25% in this Zone 4 location, taking account of:

- the type, tenure, size and mix of housing;
- on-street parking conditions in the surrounding area;
- access to existing public or private car parking facilities and the potential for shared parking;
- proximity to public transport and services; and
- the level of cycle parking provided.

8.16. In this location car ownership levels are likely to be high but the site is accessible by bus, footpaths and cycle ways (existing and proposed). The applicants have sized all garages at 6.0m in length to provide cycle storage and they will contribute to improving the cycle and footpath network. On that basis, as with Countryside Properties' applications, a small discount of 5% is recommended, setting an overall requirement of 86 spaces. The submitted layout has made provision for 88 spaces, which is therefore satisfactory.

Surface water and foul drainage

8.17. As regards surface water, following a flood risk assessment carried out for the previous application, a SuDS strategy has been put in place that involves on-site filtration and attenuation in accordance with best practice. The outfall is to the Farnham Bourne, which is adjacent to the site. The Lead Local Flood Authority has

recommended three conditions (13-15) to ensure that the design detail, the implementation and future maintenance will be satisfactory.

- 8.18. As regards foul water disposal, Thames' response to consultation when the application was submitted (para. 5.8) was to confirm that a strategy is yet to be submitted. However a formal application to connect to the network using a pumped solution is currently being finalised with Thames Water. This method follows the scheme used by Countryside Properties for their St Michael's Hurst development.
- 8.19. In consultation with Thames and the Environment Agency the applicant has also since devised another option which is to collect and treat the effluent on site and discharge into the ground using gravel drain soakaways, with a connection to the treatment pond out flow pipe. This would be installed, if necessary, at the southern end of the site adjacent to the balancing ponds. This is an environmentally sustainable approach so long as the Environment Agency can be satisfied that the system will work effectively and not put the water quality of the Bourne and Stort at risk. It is therefore recommended that condition 17 is imposed on any planning permission to secure the details, implementation and future maintenance of whichever solution is agreed.

Mitigation and viability assessment

- 8.20. As the proposal is for in 30 residential units, the need for financial contributions is required under the Council's Planning Obligations SPD and the Herts County Council Planning Obligations Toolkit. Policy IMP1 of the Local Plan sets out that developers will be required to make appropriate provision for open space and recreation facilities, education, sustainable transport modes and other infrastructure improvements. Such a policy approach is reflected in policy CI of the Neighbourhood Plan.

- 8.21. The applicant has offered a package of measures in respect of affordable housing, social infrastructure and the provision of a cycle path link, which is set out below. Apart from the addition of the cycle path link, the package is the same as accompanied the previous application for 30 dwellings when the Committee report stated as follows:

The County Council have set out a requirement for financial contributions towards primary education, libraries and youth in accordance with the HCC Planning Obligations Toolkit...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.

With regards to other District Council contributions the Council's Planning Obligations SPD sets out a requirement for contributions towards open space provision (parks and gardens and amenity space), sports facilities for adults and play provision for children, community centres and recycling. However, a more bespoke approach was adopted in securing contributions for the wider Bishop's Stortford North development. Contributions are recommended in relation to Bishop's Stortford North community buildings and off-site sports contributions which are calculated on a pro rata basis in accordance with the s.106 agreement for ASRs 1-4 and the SCA. This will be £909 and £1,363 per dwelling respectively. In addition, for recycling provision, this is calculated also on the basis of £72 per dwelling and for health care provision this is calculated as £621 per dwelling.

This approach generates a greater contribution for community buildings than would be achieved under the SPD approach and a lower total for sports, play and parks than the SPD would generate. Given the identified needs in relation to this site and the ability for residents who may live here to benefit from provision being made as part of the ASR sites, it is considered that this approach is an acceptable one. However, there are a range of contributions that are being sought in relation to

the ASR developments that are not being sought here because of the more modest scale of the development (for example, for allotments).

- 8.22. This rationale still applies to the current application to increase the number of dwellings on the site by five. However, it is not policy compliant because the toolkit calculations are still based on 30 dwellings rather than 35 and there is no increase in the amount of affordable housing, which is consequently 34% rather than the (up to) 40% required by Local Plan policy. The commitment to construct a cycle path/footway and a Puffin crossing is a new contribution, but it does not offset the overall deficiency in funding. The application is therefore accompanied by a viability assessment prepared by Harrisons Chartered Surveyors, in order to justify the lower offer.
- 8.23. On behalf of the Council, the viability assessment has been reviewed by Bailey Venning, a consultancy that is expert in the matter of development viability. It has submitted a report to the Council that questions some of the assumptions in the applicant's assessment. In particular, the report highlights differences in approach with regard to establishing a threshold land value for the site and with regard to assumptions regarding construction costs. Following negotiation between the parties the applicant has not increased the number of affordable homes but has confirmed the funding for the proposed cycleway and crossing on Rye Street, which will be the subject of a s.278 agreement with the Highway Authority.
- 8.24. Bailey Venning's consultant has written to say that the applicant's approach to setting a threshold land value does not fully accord with Government guidance [including the revised NPPF] and that of the RICS. However, in assessing the viability of the development using Bailey Venning's own methodology, the Council is advised that:

Following my research and detailed assessment, I'm of the opinion that the level of developer contribution proposed by the applicant, 34% affordable housing and £279,137 worth of Section 106 costs is reasonable.

[N.B. The list of contributions below adds up to £298,773, an increase of £19,636].

- 8.25. In summary, the overall level of contributions and affordable housing is a compromise in the context of the viability assessment, attracting a negative weighting, but partly offset by the applicant's agreement to construct the important cycle path and footway link across Rye Street.

Other Matters

- 8.26. Comments were made by a number of other consultees (Section 5.0 above) but in all cases their concerns have been met by additional information from the applicant or will be taken care of by conditions.

9.0 Planning Balance and Conclusion

- 9.1. The application is for a small increase of 5 houses over and above the existing planning permission for 30 houses, which makes more efficient use of the land. Positive weight should be afforded this and the fact that the mix of dwellings now proposed is better aligned with the SHMA and the property market. Further positive weight can be given to the quality of the design and layout, which, with suitable landscaping, will create an attractive development. The only design negative is that the backs of some houses will be visible from public vantage points in the locality, but with additional landscaping and a control on permitted development rights in respect of two-storey and roof extensions, there should be only slight negative weight applied.

- 9.2. Negative weight attaches to the overall level of financial obligations, including the level of affordable housing, which are not policy compliant. Nevertheless, they are still substantial and will help offset the impact of the development on social infrastructure. Positive weight should be afforded the cycle path/footway connection and crossing point on Rye Street, which is an important network connection that will be instrumental in encouraging modal shift away from the use of the car for journeys into the town centre and beyond.
- 9.3. Therefore, on balance, the application represents an attractive development within a newly built up area of the town, which is for the most part policy compliant and adds a significant increase to the District's housing stock.

RECOMMENDATION

That planning permission be **GRANTED** subject to legal agreements under Section 106 of the Town and Country Planning Act 1990 (as amended) and section 278 of the Highways Act 1980 and the conditions set out below:

Legal Agreements

1. Provision of 12 affordable houses (34%) on plots 10-21 comprising 67% social rented and 33% shared ownership.
2. Primary Education contribution of £106,596 towards the provision of a primary school at Bishop's Stortford North.
3. A contribution of £6,314 towards the refurbishment of the children's section at Bishop's Stortford library.
4. A contribution of £1,713 towards the Youth Connections IAG delivery room at Northgate Youth Centre.
5. Community buildings contribution of £27,270 towards the community centre(s) planned for Bishop's Stortford North- (£909 per dwelling).

6. Off-site outdoor sports contribution of £40,890 (£1,363 per dwelling).
7. NHS general medical contribution of £18,630 (£621 per dwelling).
8. Recycling contribution towards the supply of bins £2,160 (£72 per dwelling).
9. Provision of fire hydrants in accordance with County Council policy and guidelines.
10. Details of the management of any unadopted highways and communal amenity areas ensuring that the management of any land which may be released from the realignment of Farnham Road and which is not otherwise subject to management will be covered.
11. The provision of a footpath/cycleway along the Rye Street frontage and a Puffin crossing on Rye Street, budgeted at £95,200. *(For the avoidance of doubt, the provision of the crossing will be required, regardless of cost.)*

Conditions

1. Three year time limit (1T12)
2. Approved plans (2E10)
3. No dwelling on the site shall be occupied prior to the completion of the following highway works:
 - a) a Puffin crossing on Rye Street with associated dropped kerbs and tactile paving;
 - b) a 3.0m footway/cycleway between the crossing and the southern end of the existing footway/cycleway on the south west side of the roundabout; and
 - c) a 2.0m footway between the crossing and the Farnham Bourne; all as shown on the submitted Planning Layout drawing 366/P/001C. All the above works shall be completed to the written satisfaction of the Local Planning Authority in consultation with the Highway Authority, both of whom must

be notified in writing within 3 working days of the completion of the works.

Reason: To ensure that the pedestrian and cycle links to a proposed pedestrian and cycle route into the town centre is available for use by occupiers of the development and the wider area in order to encourage sustainable means of travel in accordance with PolicyTR1 of the East Herts Local Plan Second Review April 2007.

4. No dwelling on the site shall be occupied prior to the completion of the Farnham Road access and junction arrangements, including visibility splays, as shown on Planning Layout drawing 366/P/001C. The works must not be constructed other than to the specification of the Highway Authority and to the satisfaction in writing of the Local Planning Authority.

Reason: To ensure that the access and proposed roadworks within the highway are constructed to the required standard.

5. Before first occupation of any dwelling hereby approved, the access road and parking areas serving that dwelling, as shown on the approved plan(s), shall be completed and maintained thereafter.

Reason: To ensure the development makes adequate provision for the off-street parking and manoeuvring of vehicles likely to be associated with its use.

6. The gradient of any access shall not be steeper than 1:20 for the first 5 meters from the edge of the carriageway.

Reason: So that vehicles may enter and leave the site with the minimum of interference to the free flow and safety of other traffic on the highway.

7. Samples of materials (2E12)
8. As amendments to the details shown on drawings 586.15.4D (1 of 2) and 586.15.4D (22 of 2), prior to the occupation of any dwelling full details of the means of enclosure and hard and soft landscaping proposals for the edges of the site shall be submitted to and

approved in writing by the Local Planning Authority. These details shall include: (a) hard surfacing materials; (b) planting plans; (c) written specifications (including cultivation and other operations associated with plant and grass establishment); (d) schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate; and (e) implementation timetables. Thereafter the development shall proceed in accordance with the approved details.

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

9. Landscape works implementation (4P13)
10. Prior to the commencement of the development, a Construction and Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction and Traffic Management Plan shall set out details of:
 - a) The construction programme and phasing, including all highway works.
 - b) Hours of operation, delivery and storage of materials.
 - c) Details of any highway works necessary to enable construction to take place.
 - d) Methods for accessing the site, including construction vehicle numbers and routing.
 - e) Arrangements for parking, loading and unloading and for the storage of materials clear of the public highway.
 - f) Details of hoarding.
 - g) Management of traffic to reduce congestion.
 - h) Controls of dust and dirt on the public highway including the location and details of wheel washing facilities.
 - i) Details of consultation and complaint management with local businesses and neighbouring properties.
 - j) A Site Waste Management Plan.

- k) Mechanisms to deal with environmental impacts such as noise, air quality and dust, light and odour.

Reason: To safeguard the amenity of residents of nearby properties, in accordance with policies ENV1 and ENV 24 of the East Herts Local Plan, Second Review, April 2007 and to ensure that construction has due regard for highway safety and capacity and the impact of construction traffic on the local road network.

11. Construction hours of working - plant and machinery (6N07)
12. Hard surfacing (3V21)
13. The development permitted by this planning permission shall be implemented in accordance with the approved Flood Risk Assessment carried out by Richard Jackson Engineering Consultants reference 46989-Rev D dated 07 November 2016 and Drainage Strategy carried out by CX Engineering reference CX12 Issue 1A dated 03 January 2018, including the following mitigation measures:
 1. Limiting the surface water run-off to a maximum of 14l/s with discharge into the Bourne Brook for the 1 in 100 year event.
 2. Providing a minimum attenuation volume of 1185m³ to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event.
 3. Undertake the drainage strategy, to include the use of permeable paving and two attenuation basins as indicated on the drainage drawing 46989/P/001.

Reason: To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site in accordance with policies ENV 19 and 21 of the East Herts Local Plan Second Review April 2007.

14. No dwelling shall be occupied until the final design of the drainage scheme is completed and sent to the LPA for approval. The scheme shall include:

1. Detailed design of the drainage scheme including detailed engineered drawings of the proposed SuDS features including their location, size, volume, depth and any inlet and outlet features, including any connecting pipe runs and all corresponding discharge and volume calculations/modelling. The plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.
2. Any areas of informal flooding should be confirmed with the location, extent and depth shown on the proposed layout.
3. Details of final exceedance routes, including those for an event which exceeds to 1:100 + cc rainfall event.
4. A minimum 3-stage management treatment train prior to discharge to the Bourne Brook for all surface run-off from trafficked areas.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site in accordance with policies ENV 19 and 21 of the East Herts Local Plan Second Review April 2007.

15. Upon completion of the drainage works a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
 1. Provision of complete set of as built drawings for the site drainage.
 2. Maintenance and operational activities.
 3. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site in accordance with policies ENV 19 and 21 of the East Herts Local Plan Second Review April 2007.

16. Prior to the occupation of any dwelling on the site, and in accordance with the submitted drawing 586.15.4D (1 of 2), the

footpath links between the southern end of the estate road turning head and the southern boundary of the application site shall be constructed and finished in asphalt to the satisfaction of the LPA.

Reason: To create a safe pedestrian route to the proposed Farnham Bourne Park and the Stortford Fields Eastern Neighbourhood Centre, schools and employment opportunities, in order to encourage sustainable modes of travel.

17. Prior to the occupation of any dwelling on the site:
 1. Detailed drawings must be submitted to and approved by the Local Planning Authority, in consultation with Thames Water and/or the Environment Agency as may be appropriate, to show either:
 - a) an on-site foul water treatment works with discharge to the ground and/or the Farnham Bourne; or
 - b) a pumped foul drainage system connecting into an adopted gravity system in Rye Street; and
 - c) the management and funding arrangements in perpetuity for the system.
 2. The system thus approved must be implemented in full.

Reason: To ensure a satisfactory means of disposing of foul water from the site without harm to waterways and ground water in accordance with policies ENV 19 and 21 of the East Herts Local Plan Second Review April 2007.

18. Notwithstanding the provisions of Article 3 of the Town and Country (General Permitted Development Order) 1995, no development over 4m in height as specified in Schedule 2, Part (1), Class (A) or as specified in Classes B and C shall be undertaken to the dwellings on plots 1 and 28-35 without the prior consent, in writing, of the Local Planning Authority.

Reason: The specific circumstances of this elevated site with the rear elevations of the specified dwellings being public elevations the

Local Planning Authority requires control over any further development is in accordance with policy ENV9 of the East Herts Local Plan Second Review April 2007.

19. Prior to the commencement of development, a scheme providing for the insulation of the proposed dwellings against the transmission of noise and vibration from road traffic sources shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to the first occupation of the permitted dwellings.

Reason: In order to ensure an adequate level of amenity for residents of the new dwellings in accordance with policies ENV1 and ENV25 of the East Herts Local Plan Second Review April 2007.

Informatives

1. Other legislation (OL01)
2. Unsuspected contamination (33UC)

Summary of Reasons for Decision

East Herts Council has considered the applicant's proposal in a positive and proactive manner with regard to the policies of the Development Plan (Minerals Local Plan, Waste Core Strategy and Development Management Policies DPD 2012 and the 'saved' policies of the East Herts Local Plan Second Review April 2007); the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The balance of the considerations having regard to those policies is that permission should be granted.

KEY DATA**Residential Development**

Residential density	24 per ha	
	Number of bedspaces	Number of units
Number of existing units demolished	0	0
Number of new housing units	2	7
	3	17
	4	8
	5	3
Number of new flats	0	0
Total		35

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	0
2	1.50	10.5
3	2.25	38.25
4+	3.00	33
Total required		81.75
Proposed provision		88

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	0
2	2.00	14
3	2.50	43
4+	3.00	33
Total required		90
Accessibility reduction		5%
Resulting requirement		86
Proposed provision		88

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	Up to 40%	34%	Following viability assessment
Parks and Public Gardens	£0	£0	The site has good access to parks and recreation space in the locality.
Outdoor Sports facilities	£47,705	£40,890	Calculated on 30 dwellings @ £1,363 per dwelling

Amenity Green Space	£0	£0	The site has good access to recreation space in the locality.
Provision for children and young people	£0	£0	A contribution to HCC is being made towards youth facilities
Maintenance contribution - Parks and public gardens	£0	£0	Not relevant
Maintenance contribution - Outdoor Sports facilities	£0	£0	Not relevant
Maintenance contribution - Amenity Green Space	£0	£0	Managed by the developer
Maintenance contribution - Provision for children and young people	£0	£0	Not relevant
Community Centres and Village Halls	£31,815	£27,270	Based on 30 dwellings @ £909 per dwelling
Recycling contribution (bins)	£2,520	£2,160	Based on 30 dwellings at £72 per dwelling