

DEVELOPMENT MANAGEMENT COMMITTEE – 13 FEBRUARY 2019

Application Number	3/18/1760/FUL
Proposal	Development of 140 dwellings including vehicular and pedestrian accesses, car parking, open space, landscaping, green infrastructure, sustainable drainage system, and associated works; and provision of land to facilitate the expansion of Mandeville Primary School.
Location	Land North Of West Road, Sawbridgeworth (SAWB2)
Parish	Sawbridgeworth CP
Ward	Sawbridgeworth

Date of Registration of Application	2 August 2018
Target Determination Date	1 November 2018
Reason for Committee Report	Major application
Case Officer	David Snell

RECOMMENDATION

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

That delegated authority be granted to the Head of Planning and Building Control to finalise the detail of the Legal Agreement and conditions.

1.0 Summary of Proposal and Main Issues

- 1.1 The site forms part of the development strategy in the East Herts District Plan 2018 as detailed in Policies DPS1, DPS2 and DPS3 and Sawbridgeworth Policies SAWB1 and SAWB2. The site is allocated for residential development of around 125 units.
- 1.2 The application proposes the construction of 140 dwellings with associated access, open space, landscaping, parking and private amenity space.

1.3 The application submission follows from the decision of Council on 25th July 2018 to agree the Master Plan submission for the site as a material consideration for development management purposes.

1.4 The main issues for consideration are:

- The quality of the layout and design;
- Housing mix, density and affordable housing provision;
- Highway impact, mitigation and parking provision;
- Ensuring healthy and safe communities;
- Flood risk and sustainable drainage;
- Land contamination and pollution;
- Impact on the natural environment;
- Heritage impact;
- Infrastructure delivery.

1.5 Members will need to consider the overall planning balance and whether the proposal will result in a sustainable form of development having regard to the above considerations.

2.0 Site Description

2.1 The site comprises of open land currently in agricultural use situated to the north of existing housing fronting West Road. To the west and southwest lies Mandeville Primary School and to the east open agricultural land and the Green Belt.

2.2 The overall site area is approximately 6.1ha in area with approximately 5.2ha to be developed for housing.

3.0 Planning History

3.1 There is no relevant planning history relating to the site.

4.0 Main Policy Issues

4.1 These relate to the relevant policies in the National Planning Policy Framework (NPPF) and the East Herts District Plan 2018 (DP). There is no emerging or 'made' Neighbourhood Plan for Sawbridgeworth.

Main Issue	NPPF	DP policy
Principle, including housing growth	Section 5	INT1 DPS1 DPS2 DPS3 SAWB1 SAWB2
Design and layout	Section 12	SAWB2 DES1, DES2, DES3, DES4, DES5, C1, CC2
Housing and affordable housing	Section 5	HOU1, HOU2, HOU3 HOU7
Highways and parking	Section 9	TRA1 TRA2 TRA3
Healthy and safe communities	Section 8	DES5 CFLR1 CFLR7 CFLR9 CFLR10
Flood risk management, including climate change, water efficiency and quality	Section 14	WAT1 WAT2 WAT3 WAT4 WAT5 WAT6 CC1 CC2

Contamination and pollution		EQ1 EQ2 EQ3 EQ4
Natural environment	Section 15	DES2 NE1 NE2 NE3 NE4
Heritage impact	Section 16	HA1 HA3
Education		SAWB2 CFLR10
Infrastructure delivery and planning obligations	Section 2 Section 4	DEL1 DEL2
Overall sustainability	Section 2	Chapter 1 INT1

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

5.0 Summary of Consultee Responses

- 5.1 HCC Highway Authority notes the submission of material in support of the application, including the Transport Assessment. It notes that the site is allocated for development in the District Plan.
- 5.2 The methodology for the preparation of the Transport Assessment was agreed with the applicant via a number of pre-application meetings. This includes details relating to trip generation, distribution and the scope of the assessment.
- 5.3 In relation to the point of vehicular access from West Road, drawings show that an acceptable level of visibility may be achieved. With regard to internal roads, the Highway Authority considers that these are acceptable and that is with the submission of tracking for refuse vehicles.

- 5.4 It notes that the principle element of mitigation required is the treatment to the double mini roundabout at the A1184/ West Road/ Station Road junction. This is identified in the District Plan. The applicant has advanced a scheme of signalisation for the junction, with the benefit of additional capacity and pedestrian accessibility. The Highway Authority notes that the proposed signalisation scheme (or other substantive mitigation scheme) is acceptable and necessary in order to address the junction capacity, safety and congestion issues at the location. The preferred approach of the Highway Authority is that the scheme is delivered through a s278 Agreement. Agreement would be reached separately between the developers of this and other allocated sites in the town, which would include the apportionment of costs.
- 5.5 The District Plan notes that sustainable transport measures including the encouragement of walking and cycling to the town centre and rail station and enhanced passenger transport should be achieved, along with an enhanced footpath and cycleway from West Road, to enable direct access to Mandeville and Leventhorpe Schools. The Highway Authority notes that the transport assessment refers to PROW9 (between the northern boundary of the site and Cambridge Road) but does not outline what improvements may comprise.
- 5.6 The Highway Authority refers to the national policy approach in the NPPF and to that of the County Council in LTP4, which seek to maximise opportunities for sustainable transport. It also notes that the submitted information does not include a Travel Plan.
- 5.7 The approach of the Highway Authority is to seek a financial contribution toward schemes that can enhance sustainable transport options. It notes the preparation of the Sawbridgeworth Local Cycling and Walking Plan and considers that funding could be secured toward projects identified in that plan.
- 5.8 In conclusion, the Highway Authority is content in principle with the measures outlined in the Transport Assessment and does not wish to restrict the grant of permission, subject to a range of conditions.

- 5.9 Lead Local Flood Authority confirms that it has no objection, in principle, on flood risk grounds. It notes that the drainage strategy is based on permeable paving, attenuation basins, oversized pipes and discharge into a main river. The drainage strategy caters for all rainfall events up to and including 1 in 100 year plus 40% for climate change. Greenfield run off rates are achieved. The LLFA seeks conditions including one that no development should take place until a detailed drainage scheme for the school site has been approved.
- 5.10 Environment Agency does not object, subject to conditions. These include the provision of a buffer to an adjacent water course and the control on invasive species.
- 5.11 EHDC Engineering Advisor confirms that the site is mostly within flood zone 1 and mostly away from surface water inundation zones. There are no recorded historic flood events for the site. The advisor comments that the proposed SuDS are of a good quality and if constructed would help to reduce flood risk and improve water quality by reducing pollution. The SuDS additionally help create new biodiversity and amenity areas.
- 5.12 Thames Water raises no objections with regard to the foul waste water network and capacity. It notes that surface water is not proposed to be disposed of to the public network.
- 5.13 EHDC Housing Development Advisor comments that scheme proposes 140 units of which 56 will be affordable. This complies with the affordable requirement of 40%. The tenure split of 82% rent and 18% shared ownership is acceptable.
- 5.14 EHDC Conservation and Urban Design Advisor comments verbally that the layout has been the subject of extensive pre-application advice. The proposed active edges across the site are welcomed, as is the soft open edge to the countryside. The layout is of good design quality and the corner plot to West Road is now set back

further from the new access to reflect the established building line along West Road as requested.

- 5.15 HCC Historic Environment Unit refers to finds in the local area. The site has been subject to geophysical survey and trial trenching. No remains of significance were found in the northern part of the site, but there is the possibility of prehistoric interest in the southern part of the site. The development is such that it should be regarded as likely to have an impact on heritage assets and therefore it is recommended that further archaeological work is necessary and is secured by condition.
- 5.16 EHDC Landscape Advisor sought amendments to reduce the complexity of the landscape scheme and satisfactory amendments were received.
- 5.17 HCC Growth and Infrastructure Unit requests financial planning obligations towards nursery education, child care, primary education, secondary education, youth provision, library provision and the provision of fire hydrants. In relation to primary education, HCC has modelled the level of primary pupil yield which will occur as a result of the cumulative development of the allocated sites in the town. This will require expansion of Mandeville School from 1 to 2FE.
- 5.18 HCC require the provision of serviced land at no cost to facilitate the expansion work. With regard to sequencing, it is important that the development of site SAWB2 comes forward first in the town as it includes the provision of the necessary land.
- 5.19 EHDC Environmental Health Advisor recommends conditions in respect of contamination, noise impact and air quality mitigation.
- 5.20 EHDC Operations set out details in relation to the specification of the circulation route to be used by refuse vehicles. The team also set out detailed requirements in relation to bin storage for flats and provision for houses.

- 5.21 Herts Police Crime Prevention Advisor has no concerns about the development as the intention is to achieve the Gold Standard of Secure by Design. The proposal is therefore fully supported.

(Note: EHDC, East Herts District Council; HCC, Hertfordshire County Council)

6.0 Town/Parish Council Representations

- 6.1 Sawbridgeworth Town Council objects to the District Plan strategy for residential development in the town and comments as to non-compliance with District Plan policies. They consider that it is clear that this application is contrary to a number of the Policies contained in the Plan. In particular noted that there is no Sustainability and Energy Statement submitted as part of the planning application. This is regarded as an essential aid to monitoring the quality and suitability of any construction. The cumulative impact on the neighbourhood of this application and the other applications that can be anticipated as a result of the District Plan will irrevocably damage the nature of the area. Therefore the town council objects to the submitted planning application.

The full comments of the Town Council and comments following re-consultation on amended plans are attached to this report as **Essential Reference Paper A**.

7.0 Summary of Other Representations

- 7.1 108 responses were received to the initial consultation and a further 13 following re-consultation on amended plans. The responses object to the proposals on the grounds summarised as:
- Excessive number of new dwellings proposed for Sawbridgeworth and inappropriate location for development;
 - The town needs community resources and small businesses not more housing;
 - Loss of and adverse impact on the Green Belt;
 - Loss of farmland;

- Overall traffic impact, traffic congestion in West Street and on London Road;
- Adverse impact of traffic on child safety;
- Lack of parking for existing residents of West Street;
- The town needs a by-pass. The M11 is 7 miles away;
- London Road/West Street junction improvements with traffic lights will add to congestion;
- Estate roads are too narrow for buses, emergency and refuse vehicles;
- Lack of facilities and services in Sawbridgeworth, including GP provision and school places;
- Strain on health services;
- Adverse impact on health and quality of life of existing residents;
- Unfair impact on existing West Street properties;
- Overlooking of existing dwellings;
- Pollution impact from additional traffic;
- Inadequate bus and train services;
- Adverse impact on wildlife;
- Lack of water supply and sewerage treatment capacity;
- Flood risks;
- Lack of bungalows;
- Affordable housing at 80% of market value is not affordable and 40% affordable housing provision is insufficient;
- Disruption during construction. A Construction Management Plan is required.

8.0 Consideration of Issues

Principle

- 8.1 The objections of residents and Sawbridgeworth Town Council to the principle of the development are noted. However, the site forms part of the District Plan development strategy for housing growth in the District as detailed in Policies DPS1, DPS2, DPS3 and SAWB1. Policy SAWB2 allocates the site for residential development of around 125 units. As a result of its allocation through the District Plan formulation process, the site no longer forms part of the

adjoining Green Belt and is not an area where development is restricted in principle.

- 8.2 The development strategy provides that the allocated residential sites in Sawbridgeworth will be delivered by 2022. The developer has advised that they intend to commence construction as soon as possible.
- 8.3 The proposal would actually deliver 140 dwellings, which amounts to an increase of 12.0% compared to the District Plan allocation of around 125 dwellings. Whilst the increase is noted, unless there is any particular harm that can be identified as a result of the uplift, it is not considered that it should be resisted on that basis.
- 8.4 The application submission follows from the decision of Council on 25th July 2018 to agree the submitted Master Plan for the site as a material consideration for development management purposes. The Master Plan set out that land would be delivered to allow for the expansion of the adjacent Mandeville School. Blocks of residential development were proposed, with a new green edge to be provided to the countryside with a central green space. The development would mostly be up to 2.5 storey with an opportunity for some development to be up to 3 storeys in height. The application proposals are in accord with the development concept outlined in the Master Plan.
- 8.5 The early delivery of this strategic housing site carries significant positive weight and the development is acceptable in principle.

Design and layout

- 8.6 The overall layout mirrors the design concept formulated during the master planning process and the Master Plan adopted by the Council on 25 July 2018 as a material consideration in determining the planning application.

- 8.7 The Master Plan was reviewed by the Hertfordshire Design Review Panel, including an illustrative layout drawing which was not incorporated in the Master Plan. The Panel welcomed the confident and thorough approach taken to develop the concept Master Plan, resulting in a scheme that is considered to be sound. The panel made recommendations to the developer in moving forward to the detail of treatment of townscape which they acknowledged and Officers consider that these have been largely carried forward in the detail of the application.
- 8.8 Having regard to the characteristics of the site and surroundings the density of development of approximately 26.9dph is considered to be acceptable.
- 8.9 A main access road running through the development is proposed with access off the north side of West Road with more minor shared surface access roads serving groups of dwellings.
- 8.10 In accordance with Policy SAWB2 the proposal provides a structural landscape belt and public amenity space along the western boundary of the site to provide a soft edge to the development and the Green Belt. Internal hard and soft landscaping provides an appropriate setting for the built development.
- 8.11 In addition to the amenity space proposed along the western boundary of the site. A strong core of open space is provided by a large central green incorporating a Local Equipped Area for Play (LEAP). A smaller green is also proposed in the northern part of the site. Linkage is created to the public rights of way that run along the northern and western boundary of the site.
- 8.12 The built development would be predominantly two storeys in height with some dwellings, scattered in groups throughout the development, having accommodation in roofspace. Two blocks of three storey apartment blocks are proposed at focal points along the main access road. Single storey garages are also proposed.

- 8.13 The proposed dwellings are of traditional external design reflective of the predominant traditional architecture found in Sawbridgeworth. The house designs provide variety and their external appearance is of good quality.
- 8.14 Some respondents have raised concern with regard to the relationship between the new residential properties and the existing ones in West Road and the adjacent primary school. In respect of both these matters, separation distances and/ or intervening existing and proposed planting are such that it is considered that an acceptable relationship is achieved.
- 8.15 Having regard to climate change adaption and mitigation (Policies CC1 and CC2) and the building design requirements of Policy DES4, the application is supported by an Energy and Sustainability Statement. The Statement comparatively assesses the advantages and disadvantages of the use of renewable energy solutions when compared to building fabric solutions. The Applicant's preferred energy strategy is to prioritise steps of the energy hierarchy and design new homes to a consistently high standard of energy efficiency. This means that in order to achieve low CO² emission rates insulation of the buildings and efficient energy consumption takes precedence over the use of bolt on renewable energy technologies. This results in building design specifications which lead to an uplift over Building Regulations.
- 8.16 In summary the following measures are incorporated to reduce energy consumption within the buildings:
- Highly energy efficient building fabric and insulation;
 - The use of high efficiency double glazing throughout;
 - Achieving good air tightness;
 - The use of efficient building services, including high efficiency heating systems;
 - The use of low energy lighting throughout;
 - Achieving good levels of daylighting to all rooms assessed against Building Research Establishment (BRE) guidance balanced against the dangers of summer overheating.

The Energy Statement concludes that the development will achieve a 10.06% reduction in CO² emissions when compared to the baseline energy demand for the development, being Part L of the Building Regulations Approved Document (ADL) – Target Emission Rate (TER).

- 8.17 In terms of water consumption Policy WAT4 requires that developments achieve a target consumption rate of 110 litres per person per day. The water efficiency calculation for the development is included in the submitted Energy and Sustainability statement and is calculated as 107.3 litres per person per day. A recommended condition secures compliance with the Energy Statement.
- 8.18 The relationship between the proposed dwelling and existing properties and the school is considered to be satisfactory.
- 8.19 Overall, it is considered that the design of the layout and buildings is of a good quality.

Housing and affordable housing

- 8.20 140 dwellings are proposed in the following mix:

Market housing

Type	Number	%	SHMA %
One bed flat	0		6
Two bed flat	0		7
Two bed houses	10	11.9	12
Three bed houses	38	45.2	46
Four bed houses	28	33.3	23
Five bed houses	8	9.5	6
Total	84		

Affordable housing

Type	Number	%	SHMA %
One bed flat	9	16.1	19
Two bed flat	6	10.7	11
Two bed houses	18	32.1	29
Three bed houses	18	32.1	34
Four bed plus houses	5	8.9	7
Total	56		

- 8.21 The overall housing mix compares favourably with the Strategic Housing Market Assessment (SHMA) and is considered to be satisfactory.
- 8.22 The proposed affordable units will be satisfactorily distributed within the development. The proposal therefore accords with Policy HOU3.
- 8.23 In accordance with Policy HOU7 all dwellings are to meet the Building Regulations Requirement M4(2) Category 2 – Accessible and Adaptable Dwellings and 3 affordable units are to meet M4(2) Category 3 – Wheelchair User Dwellings. The wheelchair user provision is considered to be reasonable.
- 8.24 The provision of housing and affordable housing on this strategic site in accordance with the District Plan development strategy and necessary to ensure that housing land supply is maintained should be attributed significant positive weight.

Highways and parking

- 8.25 A Transport Assessment has been submitted, the methodology for which was agreed by the Highway Authority. The methodology for the preparation of the Transport Assessment was agreed via a number of pre-application meetings and scoping notes prior to the submission of the application.

- 8.26 The site is accessed from West Road which is an unclassified, local access road subject to a speed limit restricted to a 30 mph speed. An acceptable level of visibility, in accordance with surveyed speeds, is secured by a recommended condition. The Highway Authority is content in principle with the access. The layout has been amended to address concerns regarding turning circles and radii and the Highway Authority considers that this is now satisfactory.
- 8.27 The principle element of mitigation is provision of an improved the signalised junction at the A1184/West Road/Station Road junction. The Transport Assessment document discusses the proposed signalisation junction as developed by the SAWB2/SAWB3 developer's consultant as a joint engineering solution. The signalised junction is the preferred solution of the Highway Authority and presents significant benefits, including those related to capacity and pedestrian accessibility. The proposed signalisation scheme is approved in principle (subject to a Road Safety Audit) in order to address the junction capacity, safety and congestion issues at this location.
- 8.28 The Highway Authority's preferred approach is that the signalised junction is delivered by the developers via a Section 278 agreement (a separate agreement with the Highway Authority under the Highways Act outside the planning permission/legal agreement), with agreement being reached separately between the respective developers regarding the apportionment of costs.
- 8.29 The site is within Accessibility Zone 4 and an accessibility reduction of up 25% may be applicable providing a parking provision range of 259 to 345 spaces. The application proposes 84 garage spaces and 357 allocated spaces. A total allocated provision of 357 spaces. In addition 9 unallocated visitor spaces are provided in bays adjoining the estate road. The provision is just in excess of the maximum required allocated parking provision and is considered to be satisfactory. Sufficient land is allocated to provide additional parking for Mandeville School as required by Policy SAWB2(f).

8.30 The following sustainable transport measures are proposed:

- Pedestrian/cycle routes through the development and connections into the existing urban area of Sawbridgeworth to the west and south of the site linking the development to Leventhorpe School, the town centre and on-wards to the railway station;
- The provision of electric car charging points to all houses;
- London Road junction improvements in accordance with Policy SAWB2(i);
- The improvement of walking and cycling routes identified by the Highway Authority from The Sawbridgeworth Walking and Cycling Study using funds secured through the Section 106 Agreement;
- Improvement of the Right of Way (Sawbridgeworth Footpath 009) using funds secured through the Section 106 Agreement.

Healthy and safe communities

8.31 The Herts Police Crime Prevention Advisor has no concerns about the development as the intention is to achieve the Gold Standard of Secure by Design. The proposal therefore complies with DES5 and is therefore fully supported.

8.32 The proposals provide for a substantive level of public open space provision both within and on the western periphery of the development including a central green and Local Equipped Area for Play (LEAP).

8.33 These provisions are regarded as positive benefits of the proposal.

Flood risk

8.34 The site lies within Flood Zone 1 and there is therefore no risk from fluvial flooding.

- 8.35 The proposal is supported by a good sustainable drainage strategy, and subject to conditions, the Lead Local Flood Authority (LLFA) have no objection to the grant of permission.
- 8.36 Members are advised that one of the conditions recommended by the LLFA is that development shall not commence until the submission and approval of a drainage strategy for the expansion of Mandeville School. This notwithstanding that the LLFA have been advised that the school expansion land lies outside the application site. The school expansion development will be the responsibility of HCC and other than providing the land for the expansion the developer will have no further input or control over the school expansion or its timing. The condition is therefore regarded as unreasonable and unenforceable and it is not included in the recommendation.

Contamination and pollution

- 8.37 EHDC Environmental Health advise that the reports submitted in respect of contamination and noise impact are satisfactory and conditions are recommended. Conditions are also recommended to address air quality mitigation.

Natural environment

- 8.38 The site lies within Area 84 – High Wych Slopes of the East Herts Landscape Character Assessment and comprises open farmland.
- 8.39 Herts Ecology have not responded to consultation, however, the site is not located within an area of ecological significance. Other than boundary features which are to be reinforced it does not contain any significant existing natural features, as confirmed by the submitted Ecological Appraisal.

Heritage impact

- 8.40 There are grade II listed buildings in the locality of the site 130 West Road and two barns at Claylane Farm. However, the site is not in proximity to these heritage assets and it is considered that the proposed development will not give rise to any heritage impact.
- 8.41 The site has been subject to a geophysical archaeological survey in 2017 and trial trenching of the northern part of the site in June 2018. No significant archaeology remains were found. HCC Historic Environment Advisor recommends a pre-commencement condition to address the investigation of the southern part of the site.

Education

- 8.42 In accordance with Policy SAWB2 the application delivers land for the expansion of Mandeville Primary School.
- 8.43 Policy SAWB2 allocates 1.2ha of land for the school expansion. However, following negotiations with HCC and the consideration of layout options, 0.86ha of land is provided and HCC is satisfied that this is the amount of land required to accommodate the expansion.
- 8.44 HCC have modelled the primary child product from the Sawbridgeworth strategic sites as 1.84 forms of entry (FE). The school expansion will comprise a new 16 classroom block, expanded hall and two additional playing pitches.
- 8.45 The build cost is to be proportioned between the developments via financial contributions.
- 8.46 In respect of nursery and secondary education the recommendation includes a financial contribution towards the expansion of Leventhorpe School as requested by HCC Education.

9.0 Infrastructure/Planning obligations

9.1 HCC request a financial planning obligation towards Mandeville School expansion costs of £1,470,087.00.

9.2 HCC request financial planning obligations towards nursery education, child care, primary education, secondary education, youth provision, library provision and the provision of fire hydrants:

• Secondary education	£317,871.00
• Nursery education	£51,790.00
• Childcare	£20,166.00
• Youth facilities	£6,014.00
• Library facilities	£23,262.00

9.3 Following negotiations with HCC the youth provision contributions arising from the Sawbridgeworth strategic sites have been redirected from the Northgate Young Peoples Centre, Bishop's Stortford towards the expansion of facilities at the Bullfields Centre, Sawbridgeworth. This was requested by the Ward Member/Steering Group Lead and is considered to be more related to the development by Officers.

9.4 The Highway Authority requests a financial planning obligation of £219,431.00 towards sustainable transport improvements. However, the main highway improvement to be delivered by the strategic Sawbridgeworth developments is the signalisation and improvement of the West Road/A1184 junction. This will be delivered via a S.278 Agreement. This critical mitigation is at the design stage but the cost is likely to be substantial. As a consequence the Highway Authority have advised that the headline sustainable transport contribution figure may need further negotiation and adjustment.

9.5 The Highway Authority advise that any remaining monies will be used to improve walking and cycling links identified by the Highway Authority within the Sawbridgeworth Local Cycling and Walking Study document commissioned by the Town Council.

- 9.6 The NHS have requested financial obligations amounting to £99,092 towards the expansion of GP provision (Central Surgery, Sawbridgeworth). Contributions amounting to £362,732 towards Mental Health and Community Healthcare costs (refurbishment of Herts and Essex Hospital, Bishop's Stortford) and Acute costs (spend to Princess Alexandra Hospital, Harlow) are also sought.
- 9.7 The response from the NHS and subsequent discussion confirms that they are unable to identify specific planned projects in respect of Hospital improvements. Officers are therefore unable to conclude that the contributions satisfy the tests of reasonableness in Planning Policy Guidance or that they would be compliant with the current Community Infrastructure Levy Regulations (CIL). Legal Services have confirmed that this is the position. Subject to confirmation of how the funds are to be used the obligation towards the expansion of GP provision (£99,092) may meet the above tests.
- 9.8 Members are advised that the planning obligations relating to the Sawbridgeworth Strategic sites are substantive due to the highway mitigation and education mitigation costs arising. As the main junction improvement is at the design stage the final cost is unknown at this time. The financial obligations are therefore subject to ongoing discussions. Planning conditions may also require amendment. Officers therefore request delegated authority to finalise these matters.
- 9.9 The Local Plan Planning Obligations SPD dates from 2008. A replacement Open Space, Sport and Recreation SPD is to be prepared now that the District Plan has been adopted. In respect of this application in recommending financial planning obligations Officers have had regard to the categories of provision that are likely for form the basis of the new SPD. Obligations are to be sought in respect of health and fitness, Indoor sport, outdoor playing pitches and community halls, subject to the identification of projects and compliance with the CIL Regulations as follows;

- Health and fitness £25,128.00
- Indoor sport and recreation £122,760.00
- Playing pitches £13,408.00
- Community/village halls £25,192.00

10.0 Planning Balance and Conclusion

- 10.1 The proposal will deliver 140 dwellings as part of the District Plan development strategy, including 56 (40%) affordable units. This carries significant positive weight.
- 10.2 The proposal delivers land for the expansion of Mandeville School that is required to accommodate the child product of the development strategy. This carried significant weight.
- 10.3 Overall, it is considered that the design of the layout and buildings is of good quality, such that it complies with the policy aspiration for the strategic sites. The drainage strategy provides for the use of good quality SuDS. The fabric of the buildings demonstrates an appropriate reduction in CO² emissions and water usage. The overall design characteristics of the development carry positive weight.
- 10.4 The proposal provides for satisfactory access to the development, an appropriate level of parking provision and the required highway mitigation measures. The highway impacts of the development are therefore considered to be neutral.
- 10.5 Subject to conditions the ecological, heritage, contamination and pollution impacts of the development are regarded as neutral.
- 10.6 The proposal delivers appropriate levels of financial contribution towards infrastructure. This is assigned positive weight.
- 10.7 The comments of Sawbridgeworth Town Council in respect of compliance with specific District Plan policies are noted. However, the schemes compliance with policy requirements is addressed

above. Officers are satisfied that the scheme complies with District Plan policy.

- 10.8 Overall, the scheme is considered to be of good design quality and a sustainable form of development.

RECOMMENDATION

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

That delegated authority be granted to the Head of Planning and Building Control to finalise the detail of the Legal Agreement, the contributions to be contained therein and conditions.

Legal Agreement

- The provision of land for the expansion of Mandeville Primary School;
- The provision of 56 units of affordable housing (82% affordable rent and 18% shared ownership);
- HCC Mandeville School expansion £1,470,087.00
- HCC Sustainable transport £219,431.00
- HCC Travel Plan monitoring
£6,000.00
- HCC

Secondary education	£317,871.00
Nursery education	£51,790.00
Childcare	£20,166.00
Youth facilities	£6,014.00
Library facilities	£23,262.00

- NHS (expansion of capacity Central Surgery)
£99,092.00
- Arrangements for the future maintenance and stewardship of the public realm/public open space and play equipment.
- The provision of fire hydrants
- EHDC (subject to the identification of projects and compliance with CIL Regulations)

Health and fitness	£25,128.00
Indoor sport and recreation	£122,760.00
Playing pitches	£13,408.00
Community/village halls	£25,192.00

Conditions

1. Three year time limit (1T12)
2. Approved plans (2E10) (amended to include approved documents and reports)
3. Samples of materials (2E12)
4. Landscape works implementation (4P13)
5. No occupation of the development shall take place until a scheme for protecting the proposed dwellings from noise from road traffic has been submitted to and approved in writing by the local planning authority. The scheme shall follow the recommendations identified in the Temple Group Noise Impact Assessment report (Ref: T4287) dated 12th December 2018. The dwellings shall be occupied until such a scheme has been implemented in accordance with the approved details which shall thereafter be retained.

Reason: In order to ensure an adequate level of amenity for residents of the new dwellings in accordance with policy EQ2 of the adopted East Herts District Plan 2018.

6. Prior to the commencement of the development, a detailed Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority, and the plan shall include the following:
- a) The construction programme;
 - b) Hours of operation;
 - c) Details of any highway works necessary to enable construction to take place;
 - d) Parking and loading arrangements;
 - e) Details of site compound, parking and materials storage areas;
 - f) Details of hoarding;
 - g) Management of construction traffic to reduce congestion and avoid school pick up/drop off times, including numbers type and routing;
 - h) Control of dust and dirt on the public highway
 - i) Details of public contact arrangements and complaint management
 - j) Waste management proposals
 - k) Mechanisms to deal with environmental impacts such as noise and vibration, air quality and dust, light and odour.
 - l) Details of any proposed piling operations, including justification for the proposed piling strategy, a vibration impact assessment and proposed control and mitigation measures.
 - m) Details of wheel washing facilities and cleaning of site entrance adjacent to the public highway
- All works shall thereafter be carried out in accordance with the approved CMP.

Reason: In the interests of highway safety and the control of environmental impacts, in accordance with policies TRA2, EQ2, EQ3 and EQ4 of the East Herts District Plan 2018.

7. Programme of archaeological work (2E02)

8. No development approved by this permission shall take place until a Phase II site investigation and report, as recommended by the previously submitted Deltasimons Phase 1 Desk Study dated April 2018 (Ref: 14-0276.01), has been submitted to and approved in writing by the Local Planning Authority. Where found to be necessary by the phase 2 report a remediation strategy to deal with the risks associated with contamination of the site shall also be submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall include an options appraisal giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency action.

Reason: To minimise and prevent pollution of the land and the water environment and in accordance with Policy EQ1 of the East Herts District Plan 2018 and the National Planning Policy Framework.

9. The development hereby approved shall be carried out in accordance with the approved Flood Risk Assessment and Drainage Strategy (FRA) prepared by MLM Consulting Engineers Ltd, reference 618839-MLM-ZZ-RP-C-001, MLM ref: JRC/618839, Rev 6, dated 14th September 2018 and the following mitigation measures detailed therein:
 - Limiting the surface water run-off discharge generated by critical storm events so that it will not exceed the Greenfield run-off rates for the relevant rainfall events;
 - Providing storage to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year plus climate change event providing a minimum of 2854 cubic metres (or such storage as agreed in writing by the Local Planning Authority) storage volume in oversize pipes, permeable paving and attenuation basins;
 - Discharge of surface water from the private drainage network into the existing main river running along the boundary of the site.

The mitigation measures shall be fully implemented prior to first occupation of the development and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within a period as may be subsequently agreed in writing by the Local Planning Authority.

Reason: To prevent flooding in accordance with Policy WAT1 of the East Herts District Plan 2018.

10. No development shall take place until a detailed surface water drainage scheme for the site based on the approved drainage strategy and sustainable drainage principles, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before completion of the development. The scheme shall include:
- Detailed engineered drawings of the proposed SuDS features including cross section drawings, their size, volume, depth and any inlet and outlet features including any connecting pipe runs;
 - A detailed Management Plan to include arrangements for the adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason: To prevent flooding in accordance with Policy WAT1 of the East Herts District Plan 2018.

11. Prior to first occupation of the development hereby approved full details of the proposed arrangements for the future management and maintenance of the proposed streets within the development shall be submitted to and approved in writing by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established.

Reason: To ensure satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard.

12. Prior to the commencement of the development, a visibility splay measuring 2.4m x 35m shall be provided to each side of the site access respectively where it meets the highway and such splays shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

Reason: In the interests of highway safety.

13. Prior to commencement of the development hereby permitted, the vehicular access shall be provided and thereafter retained at the position shown on the approved in principle drawing number 6018-GA-01 Rev E, ACCESS ARRANGEMENT. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

Reason: To ensure satisfactory access into the site and to avoid carriage of surface water from or onto the highway.

14. Prior to the commencement of above ground development details of all materials to be used for hard surfaced areas within the site, including roads, drainage details, driveways and car parking areas shall be submitted and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details.

Reason: In the interests of good design having regard to Policy DES4 of the East Herts District Plan 2018 and to ensure that internal roads, drainage and parking areas are built to Highway Authority standards and requirements.

15. Prior to first occupation of the development hereby approved, a scheme for the signalisation of the existing double mini roundabout

at the A1184/West Road/Station Road junction, as illustrated on approved in principle drawing number 12-039-SK-01 Rev C, POTENTIAL A1184/WEST ROAD/STATION ROAD SIGNAL JUNCTION shall be implemented in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety, amenity and free and safe flow of traffic in accordance with Policy SAWB2 of the East Herts District Plan 2018.

16. Prior to first occupation of the development hereby approved an overarching Travel Plan for the development shall be submitted to and approved in writing by the Local Planning Authority, the Plan shall accord with the Hertfordshire County Council document – Hertfordshire Green Travel Plan Guidance, or any amending document and shall include a timetable for implementation and monitoring arrangements. The Travel Plan shall thereafter be implemented in accordance with the approved timetable.

Reason: To promote sustainable travel in accordance with Policy TRA1 of the East Herts District Plan 2018.

17. The development hereby approved shall be constructed in accordance with the approved Energy and Sustainability Statement Rev C prepared by Energist dated 22nd January 2019.

Reason: To promote sustainability and sustainable design and construction in accordance with Policies SAWB2, DES4 and WAT4 of the East Herts District Plan 2018.

18. Prior to first occupation of the development hereby approved details of the play equipment to be installed within the Local Equipped Play Area (LEAP) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the LEAP shall be equipped in accordance with the approved detail.

Reason: To provide for the outdoor play needs of the development in accordance with Policy CFLR1 of the East Herts District Plan 2018.

19. Subject to the requirements of the Education Authority, In accordance with the approved site layout the development shall ensure arrangements for pedestrian/cycle access between the site and the Mandeville School site. The access shall be provided, laid out and made available for use prior to the first occupation of any of the residential properties at the site, or as in accordance with a timescale agreed in writing by the Local Planning Authority.

Reason: In the interests of accessibility and the promotion of sustainable transport in accordance with Policy TRA2 of the East Herts District Plan 2018.

Informatives

1. Other legislation (01OL)
2. Street naming and numbering (19SN)
3. Highway works (06FC2)

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 and any relevant material considerations. The balance of the considerations is that permission should be granted.

KEY DATA**Residential Development**

Residential density	Approximately 20 units/Ha	
	Bed spaces	Number of units
Number of existing units demolished	0	0
Number of new flat units	1	9
	2	6
	3	0
Number of new house units	1	0
	2	28
	3	56
	4+	41
Total		140

Affordable Housing

Number of units	Percentage
56	40

Residential Vehicle Parking Provision**District Plan Parking Standards**

Parking Zone	Zone 4	
Residential unit size (bed spaces)	Spaces per unit	Spaces required
1	1.50	14
2	2.00	68
3	2.50	140
4+	3.00	123
Total required		345
Accessibility		

reduction	25%	
Resulting requirement		259
Proposed provision		366