

DEVELOPMENT MANAGEMENT COMMITTEE – 20 MARCH 2019

Application Number	3/18/1523/FUL
Proposal	Development of 200 homes with associated access, landscaping, parking, private amenity space, public open space and allotments.
Location	Land At Chalks Farm, South Of West Road, Sawbridgeworth (SAWB3)
Parish	Sawbridgeworth CP
Ward	Sawbridgeworth

Date of Registration of Application	3 July 2018
Target Determination Date	11 October 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 SAWB3. The site is allocated for residential development of around 175 units. The principle of the residential development is therefore established.
- 1.2 The application proposes the construction of 200 dwellings with associated access, landscaping, parking, private amenity space, public open space and allotments.

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

1.4 The main issues for consideration are:

- Master planning;
- Impact on the Green Belt;
- Layout and design;
- Housing 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;
- Education;
- 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 approximately 11.7ha of open land currently in agricultural use situated to the south of existing residential development fronting West Road and to the west of the main settlement of Sawbridgeworth.

2.2 The majority of the site (SAWB3), comprising approximately 9.8ha of land, is allocated for a residential development of around 175 units in the East Herts District Plan 2018.

2.3 The remainder of the application site comprises land to the west of the allocated site and lies within the Green Belt.

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). Sawbridgeworth has no Neighbourhood Plan.

Main Issue	NPPF	DP policy
Principle	Section 5	INT1 DPS1 DPS2 DPS3 SAWB1 SAWB3
Master planning		DES1
Green Belt	Section 13	GBR1
Design and layout	Section 12	SAWB3 DES1 DES3 DES4
Housing and affordable housing	Section 5	HOU1 HOU2 HOU7
Highways and parking	Section 9	TRA1 TRA2 TRA3
Healthy and safe communities	Section 8	DES5 CFLR1 CFLR7 CFLR9 CFLR10
Flood risk management,	Section 14	WAT1

including climate change, water efficiency and quality		WAT2 WAT3 WAT4 WAT5 WAT6 CC1 CC2
Contamination and pollution		EQ1 EQ2 EQ3 EQ4
Natural environment	Section 15	DES2 NE1 NE2 NE3 NE4
Heritage	Section 16	HA1 HA3
Education		SAWB3 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 does not wish to restrict the grant of permission, subject to conditions.

5.2 The Authority notes the materials submitted in support of the application, including the Planning Statement and Transport Assessment.

- 5.3 The methodology for the preparation of the Transport Assessment was agreed via a number of pre-application meetings and scoping notes. The Authority is content with the methodology used.
- 5.4 The site is accessed via West Road which is an unclassified local access road subject to a 30mph speed restriction. An acceptable level of visibility can be achieved at the access point. Noted are the submitted revisions in respect of the access junction radii and site access road widths, which are now satisfactory.
- 5.5 Lead Local Flood Authority notes the updated surface water drainage strategy and does not wish to restrict the grant of permission, subject to conditions.
- 5.6 Environment Agency comments that it does not object. The northern pedestrian/cycle route lies within the 1 in 100 year plus 35% flood event extent but this is not an issue as safe access/egress is possible. An EA permit will be required for works within 8 metres of the top of Sawbridgeworth Brook bank.
- 5.7 EHDC Engineering Advisor advises that the site is mostly within flood zone 1 apart from a narrow strip on the eastern edge associated with the watercourse. The site is away from surface water inundation zones apart from a small isolated area towards the east of the site and a narrow strip along its eastern edge. There are no historic flood events records. The SuDS proposal include ponds, swales and attenuation basins as listed in the Flood Risk Assessment and on drawing 12-039/SK04 Rev B. The measures will reduce flood risk and improve water quality and additionally they will help create new biodiversity and amenity areas.
- 5.8 Thames Water confirm that there is sufficient sewerage capacity within the existing network to accommodate the proposed development.
- 5.9 EHDC Housing Development Advisor notes the provision of affordable housing and the provision of adaptable and wheelchair user homes in accordance with policy.

- 5.10 EHDC Conservation and Urban Design Advisor comments that to the east of the site are the Grade II listed C19th farm buildings and granary of Chalks Farm. To the north-west of the site are the Grade II listed C16th and C18th large and small barns at Claylane Farm. Opposite the proposed vehicular entrance to the site is the Grade II listed C17th small timber-framed thatched cottage listed as 130, West Road.
- 5.11 The proposed site plan has been the subject of extensive pre-application advice, and the proposals have evolved over time and responded to all concerns raised by the Conservation and Urban Design Team. The proposed site layout will not harm the setting of the nearby listed buildings. The layout site exhibits excellent levels of legibility, interest, open space, active edges, and permeability, including good links to the rights of way and new bridges across the brook.
- 5.12 HCC Historic Environment Unit advise that the predetermination trial trenching evaluation concentrated on the north and north western parts of the site, in order to determine whether the main concentration of features identified by the geophysical survey were likely to be sufficiently significant to require preservation in situ as per para 194b (footnote 63) of the NPPF. The remains identified are very significant, but they do not meet the level of 'wholly exceptional' as defined in para 194b.
- 5.13 Due to a judgement on archaeological potential based on a combination of the topography, the geophysical survey results, and previous archaeological finds from the site, the remainder of the site (primarily the centre, south and east) has not yet been subject to trial trenching evaluation, as it was believed that these parts had lesser potential for remains of national significance.
- 5.14 A second phase of trial trenching should now take place, post consent, prior to any development occurring, concentrating on these parts of the site, but also increasing our knowledge of areas of the site for which further information may be required prior to

decisions being made on eventual mitigation. Therefore permission can now be granted, subject to conditions.

- 5.15 EHDC Landscape Advisor broadly supports the proposals, subject to landscape conditions.
- 5.16 Herts Ecology advise that the site is not of notable ecological interest. Submitted surveys confirm a restricted number of features overall. The mitigation measures detailed in the submitted Ecological Impact Assessment proposed are reasonable and proportionate. The proposals should, if successful, satisfy local and national policy to deliver biodiversity gain. However, a condition is recommended to secure the production of a Landscape and Ecology Management Plan to secure this.
- 5.17 HCC Environment and Infrastructure request financial planning obligations towards nursery education, child care, primary education, secondary education, youth provision, library provision and the provision of fire hydrants as detailed in the report. In relation to primary education HCC has modelled the level of primary pupil yield resulting from the cumulative impact of strategic sites within the town. This will require expansion of Mandeville School from 1FE to up to 3FE.
- 5.18 EHDC Environmental Health Advisor advise that following the submission of additional information there is no objection to the grant of permission, subject to conditions.
- 5.19 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 comments are summarised as:

It is clear that this application is contrary to a number of the Policies contained in the proposed District Plan. In particular 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 planning application.

The full comments of the Town Council are attached as **Essential Reference Paper A**.

7.0 Summary of Other Representations

7.1 102 responses have been received objecting to the proposals on the grounds summarised as:

- Nice development but unacceptable impact on existing residents;
- Over-population of Sawbridgeworth;
- Will ruin character of semi-rural market town;
- Lack of facilities and services in Sawbridgeworth, including GP provision;
- Lack of school capacity;
- Unfair impact on existing West Street properties to the north;
- Overall traffic impact and traffic impact on West Road;
- West Road should be widened and this is not possible;
- Access will result in loss of on-street parking on West Road;
- Pollution impact from additional traffic on London Road;
- Inadequate bus services;
- Blot on the landscape;
- Adverse impact on wildlife;
- Adverse impact on water plain;
- Loss of outlook and views from properties in West Road, Colney Gree and Nursery Fields;
- Loss of light to 130 and 139 West Road;
- Lack of sewerage treatment capacity;
- Pedestrian/cycle link to Colney Gree is unacceptable;
- Disruption during construction.

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 development strategy in the District Plan as detailed in Policies DPS1, DPS2 and DPS3 and Sawbridgeworth Policies SAWB1 and SAWB3 and it is allocated for residential development of around 175 units.
- 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 following a grant of planning permission.
- 8.3 The proposal would deliver 200 dwellings which amounts to an increase of 14.2% compared to the District Plan allocation of around 175 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. Having regard to the characteristics of the site and the resulting density of development of approximately 20 dph the amount of development proposed is considered to be acceptable.
- 8.4 The principle of the development is therefore established in the District Plan development strategy and this should be attributed significant positive weight.

Master planning

- 8.5 Policy DES1 of the District Plan provides that all significant proposals will be required to prepare a Master Plan setting out the quantum and distribution of land uses, sustainable high quality design and layout principles, necessary infrastructure, the relationship between the site and adjacent land uses, landscape and heritage assets and other relevant matters. The Masterplan will be prepared

collaboratively with the Council, town and Parish Councils and other relevant stakeholders.

- 8.6 The master planning process for the site commenced in November 2017 and involved a series of meetings with the Sawbridgeworth Steering Group, officers, officers of the Highway Authority and officers of the Lead Local Flood Authority, and review by the Hertfordshire Design Review Panel culminating in the production of the Masterplan and a public exhibition.
- 8.7 The Masterplan submission was approved by the Council on 25th July 2018 as a material consideration for development management purposes. The application proposals are in accord with the development design concept outlined in the Master Plan.
- 8.8 The early delivery of this strategic housing site and the conformity of the application with the design principles established in the Master Plan carries significant positive weight.

Green Belt

- 8.9 In accordance with Policy SAWB3 the proposal provides an appropriate structural landscape belt and public open space along the western and southern boundaries of the site to provide a soft edge to the development and the Green Belt.
- 8.10 The proposed informal recreation area in the northwest corner of the site and the proposed allotments and allotment car park in the southwest corner of the site lie within the Green Belt to the west of the allocated site. Policy GBR1 and paragraph 145 of the NPPF provide that specified categories of development are not inappropriate within the Green Belt. The recreation area would involve a change of use of the land but no buildings are proposed. The change of use to open recreational land would not be regarded as an inappropriate use within the Green Belt.
- 8.11 Allotment use is classified as an agricultural use and would also not be an inappropriate use within the Green Belt. The provision of the

allotment car park providing 21 spaces would involve operational development within the Green Belt. Paragraph 145(b) of the NPPF provides that the provision of appropriate facilities for the allotment use would not be inappropriate, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.

- 8.12 It is considered that the car parking provision would be an appropriate facility for the allotment use. Furthermore, the impact on the openness of the Green Belt would be limited and there would be no conflict with the purposes of including land within it. The provision of the allotment car park is therefore considered to be acceptable, subject to a condition relating to the control of any further development on the allotment land (sheds and stores) as this would be likely to detract from the openness and visual amenity of the Green Belt.
- 8.13 Substantive planting is proposed to the allotment area on the borders with the Green Belt to the north, west and south.
- 8.14 The impact of the proposal on the Green Belt would therefore carry neutral weight.

Design and layout

- 8.15 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.
- 8.16 A main access road with adjoining dwellings running through the development is proposed with more minor shared surface access roads serving groups of dwellings.
- 8.17 The Masterplan was reviewed by the Hertfordshire Design Review Panel, including an illustrative layout which was not incorporated into the Master Plan. At that point a scheme of 175 units was proposed. Overall, the Panel felt that this was an exciting scheme,

offering fantastic opportunities that needed to be explored further. The importance of attention to the following matters was stressed:

- Further development of the landscape strategy;
- Clarifying the urban design strategy;
- Treatment of the east and west boundaries;
- Re-assess the quantum of open space which is excessive.

- 8.18 These matters have been taken into account in the application proposal. In particular the quantum of development has been increased to 200 dwellings thus reducing the level of open space provision. It should be noted that the main thrust of the Design Panel's comments was their view that the development should be opened up to the Green Belt countryside by reconsidering the strong landscaped buffers on its periphery. Officer considered that this approach would be contrary to Policy SAWB3 (j) and (k). Policy SAWB3 requires the provision of a structural landscape belt and public open space on the periphery of the development, and in particular along the western and southern boundaries of the site to provide a soft edge to the development and define the new Green Belt boundary. The design approach suggested by the Design Panel was therefore discounted by officers.
- 8.19 The proposed housing would be sited within this landscaped setting in groups separated by open space and access roads. The application proposes approximately 3.9ha of public open space within the developed area of the allocated site in addition to allotments (0.6ha) and a public recreation area (0.9ha) sited to the west of the development.
- 8.20 A strong central core of open space is proposed that also accommodates an equipped play area (LEAP), footpath routes and SuDS features. Strong belts of landscaped open space are also provided to the west, south and east boundaries of the sites as required by Policy SAWB3.
- 8.21 The layout site exhibits excellent levels of legibility, interest, open space, active edges, and permeability. This includes good links from

West Road in the northwest and northeast corners of the site through the development. Two pedestrian/cyclist crossing bridges are proposed across the brook running along the east side of the development linking into Colney Gee and an existing public footpath running north south.

- 8.22 The built development would be predominantly two storeys in height with some dwellings having accommodation in roofspace. Single storey garages are also proposed.
- 8.23 The proposed dwellings are of traditional external design appearance reflective of the predominant traditional architecture found in Sawbridgeworth. The house designs provide variety and their external appearance would be of good quality.
- 8.24 Existing residential properties are sited to the immediate north of the site fronting West Road and to the east of the access road to the site and to the east beyond Sawbridgeworth Brook. The development would adjoin the rear gardens of existing properties fronting West Road. However, these rear gardens are some 33 metres in depth and a landscaped buffer is proposed. It is considered that there would be no material impact on the residential amenity of existing residents.
- 8.25 The rear elevations of four proposed houses adjoining the access road to the development would face the side garden boundary of No.139 West Road at a distance of approximately 5.4 metres to the proposed single storey garages and approximately 13.8 metres to the proposed houses. The distancing proposed is considered to be sufficient having regard to the residential amenities of the occupiers of this existing property. Existing properties to the east of the site on Coney Gree and Nursery Fields are approximately 62 and 46 metres respectively away from the proposed built development and there would be no material impact on the residential amenities of the occupiers of these existing properties.
- 8.26 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 a Sustainability Report produced by JPS Ltd and a Sustainability Statement. In summary the following measures are incorporated:

- The construction specification of every home will include high levels of insulation in the ground floor, external walls and roof spaces;
- The detailed house type designs will incorporate the thermal bridging guidance published by the Government and Constructive Details, thereby reducing a significant source of heat loss;
- An efficient gas condensing boiler will be installed in each property. The heating designs of each house type will include dual zone controls with delayed start thermostats;
- Energy efficient lamps will be installed in every light fitting;
- Each property will be naturally ventilated using efficient decentralised extract fans to ensure the internal living environment will be healthy and comfortable;
- Entrances will be illuminated with an energy efficient external light or provision will be made for a purchaser to install such a fixture.
- White goods installed in each property or offered to purchasers will be energy efficient with an A+/A rating.

The submitted calculations confirm that the development will better Part L of the Building Regulations by 7,348.07kg/year or 2.17%. Additionally, each home will comfortably pass the Fabric Energy Efficiency Standard included in Part L. The area weighted average betterment is forecasted to be 7.80%.

8.27 In terms of water consumption Policy WAT4 requires that developments achieve a target consumption rate of 110 litres per person per day. Measures are included within the house designs to reduce water consumption and the water calculation for the development is 108.06 litres per person per day.

- 8.28 It is considered that sufficient space is available for refuse bin storage to the rear of the houses and a condition is recommended to secure appropriate provision.

Housing and affordable housing

- 8.29 200 dwellings are proposed in the following mix:

Market housing

Type	Number	%	SHMA
One bed flat	0	0	6
Two bed flat	0	0	7
Two bed house	20	16.6	12
Three bed house	59	49.2	46
Four bed house	41	34.2	23
Five bed house	0	0	6
Total	120		

Affordable housing

Type	Number	%	SHMA
One bed flat	0	0	19
Two bed flat	0	0	11
Two bed house	34	42.5	29
Three bed house	39	48.75	34
Four bed plus house	7	8.75	7
Total	80		

- 8.30 40% affordable housing provision is proposed. The affordable housing provision compares favourably with the Strategic Housing Market Assessment and provides a tenure mix of 13 (16.25%) shared ownership units and 67 (83.75%) affordable rent units. The proposed affordable units will be satisfactorily distributed within the development. The affordable housing provision therefore accords with the requirements of Policy HOU3 and should be attributed significant positive weight.

- 8.31 The mix of market and affordable housing proposed is at some variance with the SHMA. However, the proposed mix is considered reasonable in this location and appropriate to the site.
- 8.32 The proposed affordable units will be satisfactorily distributed within the development in accordance with Policy HOU3.
- 8.33 In accordance with Policy HOU7 all dwellings are to meet the Building Regulations Requirement M4(2) Category 2 – Accessible and Adaptable Dwellings and 4 (6.6%) of the affordable units are to meet M4(2) Category 3 – Wheelchair User Dwellings. The wheelchair user provision is considered to be reasonable.
- 8.34 The provision of housing and affordable housing on this strategic site is in accordance with the District Plan development strategy and is necessary to ensure that housing land supply is maintained. This should be attributed significant positive weight.

Highways and parking

- 8.35 A Transport Assessment has been submitted, the methodology for which was agreed by the Highway Authority. The Authority considered that the access to the site is satisfactory, subject to an increase in the junction radii to 8.0 metres. The access radii been amended accordingly.
- 8.36 The principle element of mitigation is the provision of an improved signalised junction at the A1118/West Road/Station Road junction as a joint engineering solution. This is the preferred solution of the Highway Authority and presents significant benefits, including those related to capacity and pedestrian accessibility. The Highway Authority has approved the scheme in principle (subject to a Road Safety Audit) in order to address junction capacity, safety and congestion issues at this location.
- 8.37 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.

- 8.38 The District Plan parking standard for the proposed development is 497 spaces. The site is within Accessibility Zone 4 and an accessibility reduction of up to 25% may be applicable providing a parking provision range of 373 to 497 spaces. The application proposes 109 garage spaces and 308 allocated spaces. A total allocated provision of 417 spaces. However, driveways to a number of dwellings would be capable of accommodating an additional parked car. In addition provision is made for 54 visitor on-street parking spaces in laybys adjoining the access roads.
- 8.39 The parking provision is considered to be satisfactory.
- 8.40 21 visitor parking spaces are proposed in connection with the allotment provision. This is classified as an agricultural use for which there is no adopted parking standard, however, the provision is considered to be appropriate to the level of allotment provision.
- 8.41 The proposed garages meet space standards and are capable of accommodating cycles.
- 8.42 A Travel Plan has been submitted and reviewed by the Highway Authority and found to be robust, subject to monitoring targets and promotion.
- 8.43 The following sustainable transport measures are proposed:
- Pedestrian/cycle routes through the development and two pedestrian/cycle connections into the existing urban area of Sawbridgeworth to the east of the site (via new bridges) linking the development to the town centre and on-wards to the railway station;
 - The provision of electric car charging points to all dwellings;
 - The provision of a pedestrian crossing point on West Road linking the footpath network within the development to

Mandeville School on onward routes to Leventhorpe School to the north;

- An extension of the south side West Road footpath to the site access.

Healthy and safe communities

- 8.44 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 is therefore fully supported.
- 8.45 The proposals provide for a substantive level of open space provision both within and on the periphery of the development including an informal recreation area, allotments and public open space and a play area.
- 8.46 It is intended that the allotments and informal recreation area will be handed over to the Town Council for the benefit of Sawbridgeworth residents by means of a separate agreement between the developer and the Town Council.
- 8.47 These provisions are regarded as positive benefits of the proposal.

Flood risk

- 8.48 A small part of the site in its southeast corner containing no built development lies with Flood Zones 2 and 3. However, the part of the site containing built development lies within Flood Zone 1. There is therefore no risk from fluvial flooding.
- 8.49 The proposal is supported by a good quality sustainable drainage strategy. Subject to conditions, the Lead Local Flood Authority has no objection to the grant of permission, subject to conditions.

Contamination and pollution

- 8.50 EHDC Environmental Health advise that the reports submitted in respect of contamination and air quality are satisfactory and that these matters can be addressed by conditions.

Natural Environment

- 8.51 The site lies within Area 84 – High Wych Slopes of the East Herts Landscape Character Assessment and comprises largely arable farmland.
- 8.52 Herts Ecology advise that the site is not of notable ecological interest. Submitted surveys confirm a restricted number of features overall. The mitigation measures detailed in the submitted Ecological Impact Assessment proposed are reasonable and proportionate. The proposals should, if successful, satisfy local and national policy to deliver biodiversity gain. However, a condition is recommended to secure the production of a Landscape and Ecology Management Plan to secure this.

Heritage

- 8.53 There are grade II listed buildings in the vicinity of the site 130 West Road (opposite side of West Road) and two barns at Claylane Farm (builders yards on West Road to the northwest). It is considered that the proposed development will not give rise to harmful impact on the setting of these heritage assets.
- 8.54 The site has been subject to a pre-determination archaeological investigation and high level archaeological remains have been found. In accordance with the recommendations of the HCC Historic Environment advisor a condition is recommended to address the investigation of the remainder of the site prior to its development.

Education

- 8.55 HCC have modelled the primary level 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.
- 8.56 The land for the school expansion is to be delivered as part of the development of the SAWB2 site with the build cost proportioned between the Sawbridgeworth strategic developments via financial contributions.
- 8.57 In respect of nursery and secondary education the recommendation includes contributions as requested by HCC towards the development of High Wych pre-school and the 2FE expansion of Leventhorpe School.

9.0 Infrastructure/Planning obligations

- 9.1 HCC have requested a financial planning obligation towards Mandeville School expansion costs of £2,220,250.00.
- 9.2 HCC have requested financial planning obligations towards nursery education, child care, primary education, secondary education, youth provision, library provision and the provision of fire hydrants:

Secondary education	£484,103.00
Nursery education	£83,232.00
Youth facilities	£9,160.00
Library provision	£34,622.00

- 9.3 The Highway Authority requests a financial planning obligation of £325,181.00 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 with the Highway Authority. This critical mitigation is at the design stage but the costs are likely to be

substantial. As a consequence the Highway Authority has advised that the headline sustainable transport contribution figure may need further negotiation and adjustment.

9.4 The following sustainable transport improvements are identified by the Highway Authority:

- A pedestrian crossing point on West Road adjacent to the pedestrian/cycle access to the site;
- A footway extension the south side of West Road from No.139 to the site access;
- Improvements to Right of Way Sawbridgeworth 12 running along the eastern boundary of the site.

Any remaining monies from the sustainable transport contribution will be used to fund improvements to walking and cycling links as identified by the Highway Authority within the Town Council's Sawbridgeworth Local Cycling and Walking Plan document.

9.5 The NHS have requested financial obligations amounting to £141,560.00 towards the expansion of GP provision (Central Surgery, Sawbridgeworth). Contributions amounting to £518,190.00 towards Mental Health, Community Healthcare and Accute costs are also sought.

9.6 The response from the NHS and subsequent discussions 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 GP provision may meet the above tests.

9.7 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 officers have had regard to the categories of provision that are likely to form the basis of the new SPD. These are health and fitness, indoor sport and recreation, playing pitches and community/village halls. However, in assessing the level of contributions to be recommended officers have taken into account the provision of allotments, public amenity space and the substantive level of public open space provided within the development. Given this on-site provision it is recommended that a contribution only be sought in respect of community/village hall provision amounting to £22,493.00.

10.0 Planning Balance and Conclusion

- 10.1 The proposal will deliver 200 dwellings as part of the District Plan development strategy, including 80 (40%) affordable units. This carries significant positive weight.
- 10.2 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 use. Overall the design characteristics of the development carry positive weight.
- 10.3 The proposal provides 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.
- 10.4 Subject to conditions the ecological, contamination and pollution impacts of the development are regarded as neutral.
- 10.5 The housing mix is considered to be acceptable.
- 10.6 The proposal delivers appropriate levels of financial contribution towards infrastructure and the provision of allotments and public amenity space on-site. This is assigned positive weight.

10.7 Overall, on the balance of considerations 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 80 units of affordable housing (83.75% affordable rent and 16.25% shared ownership);
- HCC Mandeville School expansion £2, 220, 250.00
- HCC Sustainable transport £325,181.00
- HCC Travel Plan monitoring £6,000.00
- HCC

Secondary education	£484,103.00
Nursery education	£83, 232.00
Childcare	£31, 978.00
Youth facilities	£9, 160.00
Library facilities	£34, 622.00
- NHS (expansion of capacity Central Surgery) £141, 560.00

- 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)
- Community/village halls £22, 493.00
- Arrangements for the transfer of allotments and public open space land to the Town Council

Conditions

1. Three year time limit (1T12)
2. Approved plans (2E10) (amended to include approved documents and reports)
3. Samples of materials (2E12)
4. Details of external lighting (2E26)
5. Landscape works implementation (4P13)
6. Prior to above ground construction of the dwellings hereby approved, a scheme shall be submitted for the protection of the dwellings from noise from adjacent industrial and commercial units for approval in writing by the Local Planning Authority. The scheme shall follow the recommendations identified in the Cass Allen Noise Impact Assessment Report Ref: RP01-18825 Rev 1 dated 21st November 2018 and associated documentation. No dwellings shall be occupied until the scheme providing protection for those dwellings has been implemented in accordance with the approved details. The approved scheme shall be retained in accordance with those details thereafter.

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.

7. 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.

8. No development commence until an Archaeological Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of archaeological significance and research questions; and:
- The programme and methodology of site investigation and recording;
 - The programme and methodology of site investigation and recording as suggested by the evaluation;
 - The programme for post investigation assessment;
 - Provision to be made for analysis of the site investigation and recording;
 - Provision to be made for publication and dissemination of the analysis and records of the site investigation;
 - Provision to be made for archive deposition of the analysis and records of the site investigation;
 - Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.

The development shall thereafter be carried out in accordance with the programme of archaeological works set out in the approved Written Scheme of Investigation. The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the approved Written Scheme of Investigation and the provision made for analysis and publication where appropriate.

Reason: To safeguard assets of archaeological interest in accordance with Policy HA3 of the East Herts District Plan 2018.

9. No development shall take place until a Phase II site investigation and report, as recommended by the previously submitted T and P Regeneration Ltd Phase 1 Desk Study dated 5th July 2018 (Ref: 2018Jul_SAW2039_DS Issue 2), 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.

10. No above ground development shall take place until a scheme for protecting and enhancing local air quality has been submitted to and approved in writing by the local planning authority. The scheme shall follow the recommendations identified in the Redmore Environmental Air Quality Assessment report (Ref: 1870-1r1) dated 19th July 2018. None of the dwellings shall be occupied until such a scheme has been implemented in accordance with the approved details and it shall be retained in accordance with those details thereafter.

Reason: In order to ensure an adequate level of amenity for residents of the new dwellings in accordance with Policy EQ4 of the East Herts District Plan 2018.

11. The development hereby permitted shall be carried out in accordance with the approved surface water drainage strategy carried out by Odyssey, as indicated on the Preliminary Drainage Strategy layout, drawing number 12-039/SK04, revision C, dated 18 October 2018 and the following measures detailed within the FRA:
 - Limiting the surface water run-off generated by the critical storm events so that it will not exceed the surface water run-off rate of 19.9 l/s during the 1 in 100 year event plus 40% of climate change event;
 - 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 + climate change event providing a total storage volume in attenuation basins and a swale;

- Discharge of surface water from the private drainage network into the main river running adjacent to the development site.

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

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

12. 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.

13. 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.

14. Prior to the commencement of the development, a visibility splay measuring 4.5m (to the west) x 43m (to the east) 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.

15. Prior to first occupation of the development, detailed plans shall be submitted which show a public footway (2.0m minimum width) on the sites northern boundary (south side of West Road), connecting from the site access to the footway commencing at 139 West Road. Prior to first occupation of the development the footway shall be constructed in accordance with the approved detail.

Reason: In the interests of pedestrian safety.

16. Prior to commencement of the development hereby permitted, the vehicular access shall be provided and thereafter retained at the position shown on drawing No. 12-039-001 Rev H – Proposed Western Site Access.

Reason: To provide safe access in accordance with Policy TRA2 of the East Herts District Plan 2018.

17. Prior to first occupation of the development hereby approved, a zebra crossing shall be implemented on West Road, as shown on drawing No.12-039-002 E.

Reason: In the interests of pedestrian safety.

18. 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.

19. 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.

20. Prior to first occupation of the development hereby approved a details of a mechanism for promotion of the approved Travel Plan Document and the continual review of the transport impacts of the development shall be submitted to and approved in writing by the Local Planning Authority. The findings of Travel Plan monitoring shall thereafter be shared with the Local Planning Authority and the Highway Authority.

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

21. The development hereby approved shall be constructed in accordance with the approved Sustainability Statement prepared by JSP Sustainability Ltd February 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.

22. 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.

23. Prior to first occupation of the development hereby approved a pedestrian crossing point to West Road shall be provided linking the development to the north side of West Road and Mandeville School.

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

24. Prior to first occupation of the development details of the pedestrian/cyclist bridge crossings over the watercourse (Sawbridgeworth Brook) running along the eastern boundary of the site, as shown on the approved plans, shall be submitted to and approved by the Local Planning Authority. The crossing points shall thereafter be constructed in accordance with the approved details.

Reason: In the interests of promoting sustainable transport options in accordance with Policy TRA1 of the East Herts District Plan 2018.

25. Prior to the commencement of above ground development measures to facilitate the provision of high speed broadband internet connections to the development shall be submitted to and

approved in writing by the Local Planning Authority. The submitted details shall include a timetable and method of delivery for high speed broadband for each residential unit. The details shall thereafter be implemented in accordance with the approved details and made available for use prior to first occupation of the residential unit to which it relates.

Reason: In order to ensure the provision of appropriate infrastructure to support the future sustainability of the development in accordance with Policies DES4 and SAWB3 of the East Herts District Plan 2018.

26. Refuse storage facilities (2E24)

Informatives

1. Other legislation (01OL)
2. Street naming and numbering (19SN)
3. Highway works (06FC2)
4. The applicant is advised that compliance with condition 25 of this permission will require a works permit from the Environment Agency.

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	0
	2	0
	3	0
Number of new house units	1	0
	2	54
	3	98
	4+	48
Total		200

Affordable Housing

Number of units	Percentage
80	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	0
2	2.00	108
3	2.50	245
4+	3.00	144
Total required		497
Accessibility		

reduction	25%	124
Resulting requirement		373
Proposed provision		417 plus 51 on-street visitors