

DEVELOPMENT MANAGEMENT COMMITTEE – 22 MAY 2019

Application Number	3/18/1898/VAR
Proposal	Variation of condition 8 (approved plans) of planning permission 3/13/0804/OP for 2,200 homes to allow the redistribution of 85 dwelling units from the second (eastern) phase to the first (western phase), including revisions to layouts and dwelling types (including affordable housing) within development parcels B10, B13-17, B20 and B26-29, together with revisions to the means of access to dwellings, associated car parking, and revised landscaping.
Location	Land At Stortford Fields, Bishop's Stortford North, Bishop's Stortford
Applicant	Bishop's Stortford North Consortium
Parish	Bishop's Stortford
Ward	Silverleys

Date of Registration of Application	01 March 2019
Target Determination Date	05 June 2019 (Extension of Time Agreement)
Reason for Committee Report	Major application
Case Officer	Lucy Pateman / Stephen Tapper

RECOMMENDATION

That planning permission be **GRANTED** subject to the terms of the existing legal agreement dated 02 April 2015 and the conditions set out at the end of this report.

1.0 Summary of Proposal and Main Issues

- 1.1 Outline planning permission 3/13/0804/OP was granted on 02 April 2015 for up to 2,200 dwellings, primary schools, employment land, mixed use neighbourhood centres, green infrastructure and recreation space on land identified as Areas of Special Restraint 1-4

(ASRs) and the Special Countryside Area (SCR) (all now known as Stortford Fields) within the Bishop's Stortford Local Plan (2007) housing allocations. The full description of the application is set out in section 3.0 below. In 2015 planning permission was also granted for a secondary school within the Eastern Neighbourhood.

- 1.2 The existing planning permission granted outline permission across the whole site but also included full details of the Western Neighbourhood and details of all points of access to the site. The detailed plans showed 857 units within the Western Neighbourhood, although the permission did not in any other way define the split of dwellings between the two phases.
- 1.3 The current application seeks to amend the approved detailed drawings for the Western Neighbourhood, which are listed under Condition 8 of permission 3/13/0804/OP. The revised drawings make provision for 85 dwellings moving from the Eastern Neighbourhood (Phase 2) to the Western Neighbourhood (Phase 1) as well as multiple changes to layout, house types, parking and landscaping within the development parcels.
- 1.4 Applications can be made under Section 73 of the Town and Country Planning Act 1990 to develop land without compliance with conditions previously attached to a planning permission. An application may be to vary existing conditions either by removing them (discharging them) or by amending them in some way.
- 1.5 It is important to note that the effect of such an application is not merely an amendment to the existing permission. If such an application is granted, the effect is to grant a new permission. The applicant, therefore, could have two or more permissions and they can choose which one to implement. This is because an application under Section 73 does not change the existing permission.
- 1.6 The Council can grant permission subject to conditions that are different to those to which the previous permission was granted. However, it may not re-write the permission altogether.

- 1.7 If the Council opts to grant permission, it is advisable to re-state all the other conditions under the previous permission that are not being altered under the s73 application. This is because the new permission stands alone and the conditions under the old permission are not automatically carried over to the new permission unless expressly re-stated.
- 1.8 Since the submission of the current application, Taylor Wimpey has withdrawn from application due to build programme requirements and Bovis Homes has omitted Parcel B30 from the application following feedback from the Council regarding design issues. Therefore, Taylor Wimpey and Bovis Homes will build out those parcels as previously approved. The current application proposes changes only to the parcels set out in the description. Kier Living has the smallest number of parcels at Stortford Fields and was never party to this variation application.
- 1.9 The main issues are whether the increase in the number of dwellings in the Western Neighbourhood and the revised layouts are policy compliant in respect of housing density and mix, including the proportion and tenure of the affordable housing, traffic and parking, design and landscaping.

2.0 Site Description

- 2.1 Stortford Fields is a site of 130 hectares located within Bishop's Stortford North (BSN). BSN is an urban extension, which also includes St Michael's Hurst (ASR 5, Countryside Properties), on the north side of Bishop's Stortford. It is contained by the bypass, Hazelend Road, Rye Street, Dane O'Coys Road and Hadham Road. The Parcels affected by this application cover 6.51ha of which 3.04ha is Bovis Homes and 3.47ha is Persimmon.
- 2.2 Development is currently proceeding on housing parcels in the Western Neighbourhood, which is served by a new roundabout on Hadham Road. As of the date of this report, the number of occupied properties was 83. The parcels affected by this application are to the north of the current construction area. If the application is

approved, together with Taylor Wimpey and Kier parcels they will complete the housing in the Western Neighbourhood, which will then comprise 942 dwellings, a 9.9% increase over the current approval.

- 2.3 Most of the green infrastructure for the Western Neighbourhood has already been implemented, including the noise bund adjacent to the bypass, a number of green spaces, tree planting and the first stretch of the spine road (Newland Avenue). The existing infrastructure that has been created is unaffected by the variations proposed to individual parcels.

3.0 **Planning History**

The following planning history is of relevance to this proposal:

Application Number	Proposal	Decision	Date
3/13/0804/OP	Outline application for the construction of up to 2,200 dwellings. (See complete description below).*	Approved subject to conditions and a Section 106 agreement	02 April 2015
3/14/2037/CC	County Council deemed consent for the construction of a 6 forms of entry (FE) secondary school on a parcel of land to the south of A120 with change of use of a parcel of land to the north of A120 for use as playing fields and a pedestrian access bridge to link the two sites,	Approved with Conditions	19 June 2015

	emergency and maintenance access way, access, parking, landscaping and associated infrastructure.		
3/15/1975/CPO	County Council deemed consent for the construction of a 2-FE primary educational facility for reception, key stage 1 and key stage 2 pupils, nursery provision, car parking and associated development.	Approved with Conditions	29 Feb 2016
3/17/1687/NMA	A non-material amendment to 3/13/0804/OP to allow substitutions of house types to parcels B2, B10, B26, B27 and B28.	Approved	27 Sept 2017
3/18/1820/FUL	Extension to spine road	Not yet determined	

* The erection of up to 2,200 dwellings inclusive of affordable housing, green infrastructure, amenity and formal and informal recreation space; landscaping; development of 2 mixed use local centres on 4.1 hectares of land providing up to 21,000 sq.m (gross) commercial floorspace (Use Class B1 a, b and c) inclusive of (if required) a maximum of 3,000 sq.m (gross) for a healthcare facility (Use Class D1) together with retail floorspace (Use Classes A1; A2; A3; A4 and A5), up to a maximum of 1,200 sq.m (gross), residential development (Use Class C3) and the potential for other community/cultural/leisure (Use Class D1 and D2) if required (floorspace to be agreed); the potential for additional 0.5 hectares of land for up to 4,000 sq m (gross) commercial floorspace (Use Class B1 a; b and c) if required or for residential purposes (Use Class C3) if not; a primary school and associated facilities on 1.25 hectares of

land; a further primary school on 2 hectares of land with the potential to extend by 1.08 hectares if required or for the expansion land to be used for residential purposes if not; 4 new junctions (A120; Hadham Road; Rye Street and Farnham Road); estate roads and public transport route; footpaths/cycleways; site profiling/earthworks; a noise bund with barrier; a sustainable drainage system; utilities services including foul water pumping stations; 2 residential garden extensions and the demolition of 221 Rye Street and 164 and 166 Hadham Road.

4.0 Main Policy Issues

4.1 These relate to the relevant policies in the National Planning Policy Framework 2019 (NPPF), the adopted East Herts District Plan 2018 (DP) and the Bishop's Stortford Silverleys and Meads Neighbourhood Plan 2015 (NP).

Main Issue	NPPF paras.	DP policy	NP policy
Housing density and dwelling mix	60-61 122	BISH1,3 (I)&(V) HOU1-3 HOU6 HOU7	HDP 1,4,5
Urban design and landscaping	127	DES2-5	HDP 2, 3
Traffic and parking	102	TRA1,3	TP3,4,8,10

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 agrees with the conclusions of the submitted Transport Assessment that increasing the number of

dwellings in the Western Neighbourhood would not have a material impact on the local highway network. Without wishing to object to the proposals there are some concerns regarding the detailed layout of parcels B27 (Persimmon), B29 (Bovis) and the secondary street between them, which may infringe the highway boundary of Dane O'Coys Road. Street lighting within Parcel B29 needs careful consideration to avoid compromising the rural character of Dane O'Coys Road and there may also be an opportunity to create a cycle link to the Road. The Highway Authority is content that these matters can be attended to as part of its own technical approvals process.

- 5.2 Environment Agency has no comments
- 5.3 EHDC Housing Strategy Officer supports the proposal, which has been amended to take account of their views. The planning application includes an additional 85 dwellings in the Western neighbourhood, of which 34 (40%) will be affordable.
- 5.4 As originally submitted, Persimmon Homes proposed 14 x 1-bed houses within their parcels and they have now been replaced by 14 x 2-bed, 4-person houses for which there is great need. The tenure split has also been amended from 50% affordable rent and 50% shared ownership to 75% affordable rent and 25% shared ownership. Consequently the mix is a better reflection of housing need. In addition, the affordable housing meets the Council's policies in respect of being tenure blind and "pepper-potted" within the parcels.
- 5.5 EHDC Conservation and Urban Design Advisor (Essex Place Services) considers that the layouts are much improved following amendment in line with the Council's recommendations, with better landscaping, parking courts, house type elevations and street scenes, resulting in development parcels that are more in line with the garden suburb principles that were originally adopted by the developers. Their only residual concern has been the height of flats proposed for Persimmon's Parcel B27, which are next to an area of open space and should not be prominent in the local landscape.

- 5.6 HCC Historic Environment Unit has no comment to make on the application because condition 24 requires the submission of a strategy for the full archaeological investigation of the site, which will include the recording of finds.
- 5.7 EHDC Landscape Advisor recommends approval with a landscape condition. The layout and indicative landscape proposals represent an improvement on the previous submission.
- 5.8 Natural England has no comment.
- 5.9 EHDC Environmental Health Advisor does not wish to restrict the grant of permission.

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

6.0 Town/Parish Council Representations

- 6.1 Bishop's Stortford Town Council has no objection to the application, subject to there being no further reduction in affordable housing which should be at least 40% of the development.
- 6.2 Farnham Parish Council (Uttlesford, Essex) has not provided any comments.

7.0 Summary of Other Representations

- 7.1 The application was advertised in the press and on site on 21 March 2019 and 1,415 neighbour consultation letters were distributed with a reply-by date of 03 April 2019.
- 7.2 2 responses have been received objecting to the proposals on the following grounds:
- The additional dwellings will result in a large increase in density considering these are only to 11 of the 30 parcels. In some

cases, the density of housing on parcels is increasing by 75% or more.

- Dane O'Coys Road is an area of semi-rural character that the Council has identified as deserving protection in a number of its own documents. The increase of the number of dwellings from 57 to 93 represents a rise in density of 63% which is inappropriate alongside this quiet country lane. Parcel B27 sees an increase in the number of dwellings from 13 to 24 in the form of 3 storey apartment blocks which will be incongruous and visually undesirable in this location.
- Increased traffic is already an issue. Bishop's Stortford does not have the capacity to cope with further development.

8.0 Consideration of Issues

- 8.1 The application proposes changes to Persimmon and Bovis Homes Parcels B10, B13, B14, B15, B16, B17, B20, B26, B27, B28 and B29 of the 30 parcels previously approved under 3/13/0804/OP. The reasons for these changes are, firstly, that plans for the development parcels date back to 2013/14, with planning permission granted in April 2015. Since then, there has been significant change in the property market with a higher level of demand for smaller properties (1 to 3 bedrooms) and lower demand for larger properties (4 and 5 bedrooms).
- 8.2 Furthermore, the application addresses a reduction in Bovis' developable area brought about by the County Council's need to enlarge the proposed primary school in the Western Neighbourhood from 1FE to 2FE, which obtained deemed consent in 2016.
- 8.3 The variation application is an opportunity for the housebuilders to align their housing mix, both market and affordable, with local demand and needs as set out in the Strategic Housing Market Assessment (SHMA). There have also been changes to Building Regulations since planning permission was originally given, such as internal space standards, which, along with general improvements

to house types, has meant that the approved types were out of date.

- 8.4 The Council must consider the revised layouts and designs in the context of the adopted East Herts District Plan 2018 and the revised National Planning Policy Framework 2019, which demand higher standards of urban design and place making than was the case when the development was first considered.

Housing density and mix

- 8.5 Paragraphs 60-61 of the National Planning Policy Framework (NPPF) 2019 state that local planning authorities should plan for a mix of housing, reflecting current and future demographic trends and market signals, taking into account the needs of different groups in the community. This will include, but is not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes (self-build). They should also specify the type of affordable housing required.
- 8.6 Since planning permission was granted in April 2015, planning policies and the property market have changed. The applicants have stated that the purpose of the application is to ensure their housing offer aligns with market demand, taking into account revised national and local planning policies. The Council must take this into consideration as well as consider the housing needs of a diverse community in line with Paragraphs 60-61 of the NPPF.
- 8.7 Affordable Housing. The District Plan Policy HOU3 states that there is a significant need for additional affordable housing within East Herts as set out in the latest SHMA, 2017. The Policy states that the Council should continue to seek affordable housing on developments of 15 or more at a ratio of 40% of the total, subject, as necessary, to consideration of the viability of the development.

- 8.8 The Section 106 agreement that accompanies the original planning permission for 2200 dwellings at Stortford Fields secures 30.4% affordable housing in the Western Neighbourhood. This was in the context of a viability assessment of the development, which indicated that the development would not be viable at 40% affordable housing, taking into account the need for contributions to a wide range of social infrastructure and highways mitigation.
- 8.9 In respect of the current application, Bishop's Stortford Town Council has raised concern that affordable housing should be at least 40% of the total housing. However, whilst the additional 85 dwellings in the Western Neighbourhood will have an affordable housing provision of 40%, providing an additional 34 affordable dwellings, the rest of the affordable housing in the Western Neighbourhood has to remain at 30.4% in accordance with the Section 106 agreement.
- 8.10 Regarding tenure, District Plan Policy HOU3 states that affordable housing provision will be expected to incorporate a mix of tenures, taking account of the Council's most up to date evidence on housing need. The District Plan suggests a ratio of 84% rented to 16% shared ownership would reflect current needs. The Section 106 agreement makes provision for 75% rented and 25% shared ownership in the Western Neighbourhood and, subject to a viability reassessment triggered by 300 occupations, a ratio of not less than 50:50 in the Eastern Neighbourhood. In the absence of the viability reassessment and for reasons of consistency the applicants are prepared to apply 75:25 to the 34 new affordable dwellings rather than 84:16. This is not completely policy compliant but represents an improvement upon the existing planning permission and has been endorsed by the Council's Housing Strategy Officer.
- 8.11 Regarding the mix of dwelling sizes, Policy HOU1 refers to the latest Strategic Housing Market Assessment (SHMA) and any additional up-to-date evidence including the latest East Herts Housing and Health Strategy; the local demographic context and trends; local housing need and demand; and site issues and design considerations. Policy HDP1 of the Neighbourhood Plan also states

that “new residential development will be supported as long as it is found to be meeting the findings of the latest Strategic Housing Market Assessment.” The table below shows the approved and proposed affordable housing mix in comparison with the SHMA 2017 advocated mix.

Affordable Housing Mix														
	SHMA Mix (2017)	Latest Approved Mix						Proposed Mix						Variance
		Bovis	PH	Kier	TW	Total	%	Bovis	PH	Kier	TW	Total	%	
1-bed flat /house	20%	30	25	6	18	79	30%	30	33	6	18	87	30%	10%
2-bed flat	11%	21	6	4	28	59	24%	18	23	4	28	73	25%	14%
2-bed house	29%	15	21	3	15	54	18%	22	22	3	15	62	21%	-8%
3-bed house	32%	20	13	3	21	57	21%	24	17	3	21	65	22%	-10%
4+-bed house	8%	4	4	1	3	12	5%	0	2	1	3	6	2%	-6%
Total						261						293		

8.12 There is variation between dwelling sizes set out in the 2017 SHMA and what is now proposed. There is an increase in smaller units, for example, a 10% variance above the 2017 SHMA mix for 1-bed dwellings and a 14% variance for 2-bed flats. However, the proposed numbers of 1-bed flats/houses and 2-bed flats are acceptable taking into account current local needs. There is a minus 8% variance for 2- bed houses, but there will be a 3% increase in this dwelling type over and above the approved mix. There will be less larger houses than suggested by the SHMA, for example, a 6% variance below the 2017 SHMA advocated mix for 4+- bed houses.

8.13 The applicants have stated the increase in smaller affordable housing units is due to Consortium discussions with affordable housing providers and their experience of current needs. Following an amendment whereby Persimmon reduced the number of affordable 1-bed houses and increased the number of 2-bed, 4-person houses, the Council’s Housing Strategy Officer has approved of the overall mix, seeing it as an improvement on what was granted planning permission in 2015.

- 8.14 The affordable housing provision will be distributed throughout the development parcels that are the subject of this application and integrated into the open market housing, so it will be 'tenure blind' and 'pepper-potted' across the parcels in accordance with the Affordable Housing Supplementary Planning Document (SPD). For example, on Persimmon's Parcel B10, the units along the Boulevard (Newland Avenue) are tenure blind design and the 23 affordable housing units have been spread across the parcel allowing for a balanced tenure mix. The only parcel which deviates is B27 which is entirely affordable, comprising 6x1-bed apartments and 12x2-bed apartments. However, this is below the requirement of there being no more than 25 affordable units clustered together as set out in both the adopted and emerging revised Affordable Housing SPD.
- 8.15 Taking all of this into account, the proposed affordable housing is considered to be acceptable and in accordance with District Plan Policy HOU3. The Committee may therefore give positive weight to the affordable housing provision.
- 8.16 Market Housing. District Plan Policy HOU1 requires an appropriate mix of housing tenures, types and sizes in order to create mixed and balanced communities appropriate to local character, taking account of the latest SHMA. The table below shows the approved and proposed market housing mix in comparison with the SHMA 2015 advocated mix, (the 2017 SHMA has a suggested mix only for affordable dwellings)
- 8.17 The proposed market housing better reflects the 2015 SHMA mix compared to the existing planning permission. Across all the parcels in the Western Neighbourhood, the approved market housing mix would provide 42% 4+-bedroom dwellings compared to the proposed mix which would provide 30%; this is closely aligned with the 29% 2015 SHMA requirement. Furthermore, the proposed market housing mix would provide 5% 1-bedroom dwellings which better aligns with the 2015 SHMA compared to the approved mix which would provide just 1% 1-bedroom dwellings. The exception is the variation in 2-bed housing; the proposed mix will provide 5%

more 2-bedroom houses than the 2015 SHMA advocated mix. This is a reflection of the changing market demands. Overall, however, it is evident that the proposed market housing better reflects the 2015 SHMA advocated mix compared to the approved provision.

- 8.18 Density. District Plan Policy HOU2 (Housing Density) requires housing development to make efficient use of land. Proposals are required to demonstrate how the density of new development has been informed by the character of the local area and contribute to design objectives, improving the mix of house types and providing adequate levels of public open space.
- 8.19 The approved detailed permission would deliver 857 units within the Western Neighbourhood, representing an average density in the development parcels of 35 dwellings per hectare (dph). Due to the increased demand for smaller properties (1-3 beds) which has prompted the application, the number of dwellings will increase by 85, taking the total number of units within the Western Neighbourhood to 942. Bovis Homes Parcels B13, B14, B15, B16 and B29 would have an average density of 45 dph. Persimmon Parcels B10, B17, B20, B26, B27 and B28 would have an average density of 54 dph.
- 8.20 This represents a more efficient use of the land, without unacceptably compromising the overall urban design layout, including landscaping and garden sizes. The parcels will retain the intended character and appearance on the edge of the town yet provide more 1-3 bed properties which are in increased demand. The change proposed is considered to be acceptable and in accordance with District Plan Policy HOU2. The Committee may therefore give positive weighting to this increase in density.
- 8.21 Overall, the proposed increase in housing density, the proposed affordable housing ratio and tenure split and the opportunity to more closely align the overall housing mix with the latest SHMA will mean the development will fulfil national and local policy requirements in respect of housing supply. The Committee can give positive weight to this aspect of the proposal.

Traffic and parking

- 8.22 As with the original planning permission, the Council determined that the current application required an Environmental Impact Assessment (EIA). However, in scoping the EIA the Council considered the only area where there could be an adverse environmental impact that had not been considered in assessing the original application was the change in traffic flows caused by moving 85 dwellings from the Eastern Neighbourhood to the Western.
- 8.23 Therefore, the applicants prepared a traffic assessment comparing the anticipated trip generation of this application against the assumptions made with the 2015 approved outline application. In comparing vehicle trips, there is no difference in overall AM peak trips and there would be 8 additional trips in the PM peak. That level of change is not considered to materially affect the conclusions of the original Transport Assessment in terms of impacts or mitigation measures, or the conclusions of the Air Quality chapter of the Environmental Assessment.
- 8.24 The proposed car parking provision is in line with the Council's Updated Vehicle Parking Standards, which offer a flexible approach to parking provision post-NPPF. The Updated Standards state that a reduction of up to 25% in this Zone 4 suburban location can be applied taking account of the type, tenure, size and mix of housing; on-street parking conditions; access to existing public or private car parking facilities and the potential for shared parking; proximity to public transport and services and the level of cycle parking provided. Such a large discount was not applied to the original detailed permission for the Western Neighbourhood and since the 85 additional dwellings cannot be individually identified as such a more modest discount should be applied to this application.
- 8.25 The Updated Vehicle Parking Standards suggest that 722.5 spaces should be provided for the 326 dwellings overall. The proposed car parking provision is 712 spaces which is 10.5 spaces fewer than the

standards. The proposed layouts make provision for 40 shared visitor parking spaces within parking courts and on street. Given the footpath and cycleway connections and proposed bus services offered by BSN overall, the parking provision is considered satisfactory taking into account the flexible approach of the Council's Updated Vehicle Parking Standards. The Committee may therefore give positive weighting to the proposed parking provision.

Urban design and landscaping

- 8.26 The proposed changes to the development parcels have been principally introduced to increase the number of smaller properties, allowing for a more saleable mix which addresses changing market conditions. However, the increased density also has a more urbanising effect, which potentially runs contrary to the developer's original 'garden suburb' concept. Improvements have therefore been requested in the form of additional landscaping, including trees and shrubs within the development parcels, improvements to boundary treatments on key frontages, reducing the visual impact of parking, increasing garden sizes where possible and enhancing the appearance of the dwellings themselves.
- 8.27 Persimmon's Parcel B10 will deliver an increased number of private 2-bed houses. Elevations are more varied, including balconies to the apartment blocks and chimneys on a number of houses. The Boulevard street scene is a particularly welcome improvement, including good detailing such as decorative railings on the street frontage. Landscaping has been introduced across internal parking areas.
- 8.28 In Persimmon's Parcel B17, the principal change is the greening of the central parking court and the introduction of car barns to add interest, with a similar approach introduced around the periphery of the parcel. To add further interest, detail has been added to the front elevations of various properties.
- 8.29 An increased number of 1-bedroom houses, with generous gardens, has been introduced to Persimmon's Parcel B20, which are in demand amongst first-time buyers and those seeking to downsize.

The incorporation of new trees within the Parcel's street frontages and parking courts is welcome.

- 8.30 The emphasis in Persimmon's Parcel B26 has been on reducing car dominance and increasing landscaping, for example, by the creation of a vista into plots 8 and 11, with cars positioned in a subservient manner nearby. Affordable units have also been introduced in this parcel, sited and designed to be tenure blind in appearance.
- 8.31 A second 3-storey apartment block has been introduced into Persimmon's Parcel B27 in place of houses, which will result in an increase in overall development height. However, the apartment blocks are designed to a higher standard in their appearance compared to the existing planning permission. With reference to the Council's Conservation and Urban Design Officer's comment, views from Dane O'Coys Road and further afield will be very limited by reason of existing and proposed tree cover, including tree planting within the Parcel.
- 8.32 Persimmon's Parcel B28 has seen an increase in landscaping and the incorporation of trees within the Parcel's street frontages and parking courts, again reflecting the garden suburb approach to the design of the development.
- 8.33 The layout of Bovis Homes Parcel B13 remains as previously approved, however when the proposed primary school that will be adjacent to the Parcel was expanded from one form of entry to two forms of entry the Parcel had to be reduced in size with a consequent reduction in the number of dwellings. The proposed revisions include an increase in landscaping and incorporation of trees to break up car parking courts and enhance street frontages.
- 8.34 Bovis' Parcel B14 has an increased number of 3-bed dwellings and a decrease in 4- and 5-bed dwellings. It has an enhanced garden suburb feel through an increase in garden sizes where possible and additional landscaping, enhancing the appearance from outside and within the Parcel.
- 8.35 Bovis Parcels B15 and B16 now also benefit from an increase in landscaping as well as enhancements to the streetscape through the use of improved fenestration to properties throughout the

Parcels. Reducing the number of parking spaces in the car parking areas and integrating landscaping again picks up the garden suburb theme.

- 8.36 Bovis' Parcel B29 sits adjacent to Dane O'Coys Road, where it is Council policy to retain the rural character of the road. A landscape buffer has therefore been introduced between the parcel and the road, with the dwellings served by an informal private drive parallel with the Road. Vehicular access between the development and Dane O'Coys Road is prevented by condition 39, which will assist in retaining its rural character. The landscape buffer is considerably deeper than is the case with the existing planning permission, so there is considerable improvement. Following the suggestion of the Highway Authority, a condition (41) is proposed that requires details of street lighting along the private drive to be approved to ensure it does not compromise safety on Dane O'Coys Road or its rural character.
- 8.37 The Council's Urban Design Advisor considers that overall the amendments to the parcel layouts are positive, responding to the garden suburb theme, increasing the soft landscaping and improving parking arrangements. However, they requested further justification for Parcel 27 regarding the scale of development, (3-storey flats), on a parcel facing open space and possibly being seen in longer views. The applicants have submitted plans and photographic evidence that allay those concerns.
- 8.38 The Council's Landscape Advisor considers that the layout and indicative landscape proposals represent an improvement on the previous submission. Condition 21 relating to hard and soft landscape works for each Development Parcel on the existing planning permission 3/13/0804/OP should be amended under this application to allow the Council to control the detail and secure the implementation of the landscaping introduced within the revised parcels.
- 8.39 The design of the development will make good use of the available land in terms of its housing density, layout, building materials, landscaping and design features as well as offering appropriate provision for storage of bins, vehicle parking and opportunities for

electric vehicle charging points. The design of the development is considered to be acceptable and in accordance with District Plan Policy DES4 and positive weight may be given to the application in those regards.

Other Matters.

- 8.40 Concern has been raised that Bishop's Stortford does not have the capacity to cope with further development, specifically the increase in traffic. However, this application only seeks to distribute units between the two phases, rather than increase the overall number of units on Stortford Fields. As mentioned above, the level of trip generation created from the additional dwellings in the Western Neighbourhood is not considered to change the conclusions of the original Transport Assessment in terms of impacts or mitigation measures.

9.0 Planning Balance and Conclusion

- 9.1 The developer's main purpose in making this application is to better align the residential development at Stortford Fields with a significant shift in the market in favour of smaller houses. It is also an opportunity to introduce updated house types following changes to the Building Regulations and customer preferences. The Council should support such revisions so long as it can be sure that the housing needs of a diverse community can still be met and that the proposals are as good as or better than the existing planning permission in that and all other respects.
- 9.2 The foregoing paragraphs on the housing proposals show that the housing mix and affordable housing provision is better aligned with the SHMA and District Plan policy than the current planning permission and offers a satisfactory number and range of affordable homes to make a significant contribution towards meeting local needs. The Committee can attach positive weight to these changes.

- 9.3 However, the proposals also involve the introduction of 85 more dwellings into the 11 Parcels that are included in the application, bringing an increase in housing density and a more urbanised character to the Western Neighbourhood of Stortford Fields. It is on the rural edge of the town, and its urban design character was originally predicated on garden suburb principles. The Council has negotiated many improvements to the design and landscaping of the 11 parcels to offset the potentially negative effects and this report suggests that this has resulted in a quality of urban design that is significantly higher than is seen in the existing planning permission.
- 9.4 The density of development has increased but remains acceptable in the context of the generous structural landscaping and open space and, for the most part, there are private gardens that offer a very good standard of amenity for residents. This is very much in line with the emphasis on the importance of urban design and place making in the NPPF, the District Plan and the Neighbourhood Plan. Positive weight can therefore also be given to these aspects of the application in making a determination.
- 9.5 As regards traffic and car parking, it has been shown that the transfer of 85 dwellings from the Eastern Neighbourhood to the Western has a minimal effect on traffic flows in the locality and it is therefore not a significant consideration in determining the application. The Council has negotiated an improvement in the number of car parking spaces, seeking a balance between the need to accommodate cars off street, whilst maintaining an attractive appearance to the development. The amount of lay-by parking has been increased, primarily for the benefit of visitors and delivery vehicles. Again, positive weight may be given to these aspects of the proposals in determining the application.
- 9.6 Other aspects of the development that require detailed consideration are covered by the conditions that have been transferred from the original planning permission, with some additions and amendments, and the existing Section 106 agreement.

- 9.7 It should be noted that when the Section 106 agreement was drawn up it was anticipated that, given the long period of construction of 2,200 dwellings, there may be subsequent s.73 applications to change house types and layouts. The agreement therefore includes a clause in Section 20 (*Variations*) of the Commencement and General Provisions (page 154) that applies it to such s.73 permissions so long as the 2,200 homes permitted by the original planning permission is not exceeded by them, (in which case a new agreement would be required). It is therefore not necessary to vary the existing Section 106 agreement to take account of the current application should the Committee view it favourably.
- 9.8 The application may therefore be viewed positively and granted planning permission subject to the terms of the existing legal agreement and the conditions set out at the end of this report.

RECOMMENDATION

That planning permission be **GRANTED** subject to the terms of the existing legal agreement dated 02 April 2015 and the conditions set out below:

Conditions

1. a) No development in the Eastern Neighbourhood, apart from enabling works, earthworks and access works, shall commence in respect of any Development Parcel for which permission is hereby granted before detailed plans thereof showing the layout, scale and external appearance of the building(s) and landscaping (hereinafter referred to as 'the reserved matters') have been submitted to and approved by the Local Planning Authority. The development shall be carried out as approved.

- b) As part of the first reserved matters submitted pursuant to condition 1(a), a Phasing Plan for the Eastern Neighbourhood, including the identification of the Development Parcels, shall be submitted to and approved in writing by the local planning authority, in consultation with the Highway Authority. The Phasing

Plan shall include the timing of the construction of the Primary Streets and greenways within the eastern Neighbourhood as identified in Drawing 3515-P-02U. The development shall be carried out in accordance with the approved Phasing Plan.

Reason: To comply with the requirements of section 92 of the Town and Country planning Act 1990 and the provisions of Article 4 of the Town and Country Planning (Development Management Procedure) Order 2010 (as amended) and to ensure that high standards of urban design and a comprehensively planned development are achieved in accordance with the NPPF.

2. a) Detailed plans showing the layout, scale and external appearance of the building(s) and landscaping (hereinafter referred to as 'the reserved matters') of the Western Neighbourhood Local Centre, including the primary school, shall be submitted to the Local Planning Authority before the expiration of 3 years from the date of this permission. The development permitted shall be begun either before the expiration of 5 years from the date of this permission, or before the expiration of one year from the date of approval of the last reserved matters whichever is the later.
- b) An application for the approval of the first reserved matters for the Eastern Neighbourhood shall be made to the local planning authority before the expiration of 5 years from the date of this permission. The development hereby permitted shall be begun either before the expiration of 7 years from the date of this permission, or before the expiration of one year from the date of approval of the last reserved matters, whichever is the later.
- c) Application for the approval of reserved matters for the subsequent Development Parcels within the Eastern Neighbourhood as identified by the Phasing Plan shall be made to the local planning authority before the expiration of 10 years from the date of this permission. The subsequent development hereby permitted shall be begun either before the expiration of 12 years from the date of this permission, or before the expiration of one year from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To prevent the accumulation of unimplemented planning permissions and to comply with the requirements of Section 92 of the Town and Country Planning Act 1990 (as amended).

3. As part of the first reserved matters for the Eastern Neighbourhood submitted pursuant to condition 1, a document setting out the design principles (hereafter referred to as 'Design Principles') for the Eastern Neighbourhood shall be submitted to and approved in writing by the local planning authority. The Design Principles set out how the principles and objectives of the Design and Access Statement (January 2013) and Addendum (August 2013) will be met, and shall accord with the Indicative Layout (Drawing No. 3515-L-10-C) and the Parameters Plans (Drawing Nos. 3515-P-02-U and 3515-P-17-E), except where other planning conditions specify otherwise. The Design Principles shall include the following matters:
 - (i) The principles for determining the design, form, heights and general arrangement of external architectural features of buildings including the roofs, chimneys, porches and fenestration;
 - (ii) The principles of the hierarchy for roads and public spaces;
 - (iii) The principles for determining the colour, texture and quality of external materials and facings for the walls and roofing of buildings and structures;
 - (iv) Sustainable construction principles;
 - (v) The principles for the design of the public realm to include the colour, texture and quality of surfacing of footpaths, cycleways, streets, parking areas, courtyards and other shared surfaces;
 - (vi) The principles for the design and layout of street furniture including street lighting, and measures to control of light pollution;
 - (vii) The principles for the laying out of the green infrastructure including the access, location and general arrangements of the multi-use games area, the children's play areas and allotments;
 - (viii) The principles to ensure that there is appropriate access to buildings and public spaces for the disabled and physically impaired; and

- (ix) The location and design of bus stops (including the provision of Real Time Information displays) and a timetable for their provision.
- (x) The principles for the location, surfacing and timing of construction of the internal cycleways and footways.

The development shall be carried out in accordance with the approved Design Principles.

Reason: To assist with the determination of reserved matters applications and in order to ensure a high standard of design in accordance with the garden city concept and that infrastructure provision and environmental mitigation is provided to cater for the needs and impacts arising out of the development in accordance with the National Planning Policy Framework.

4. As part of the first reserved matters for the Local Centre within the Western Neighbourhood pursuant to condition 2(a), a document setting out the design principles (hereafter referred to as 'Design Principles') for the local centre shall be submitted to and approved in writing by the local planning authority. The Design Principles will set out how the principles and objectives of the Design and Access Statement (January 2013) and Addendum (August 2013) will be met, and shall accord with the Indicative Layout (Drawing No. 3515-L-10-C) and the Parameters Plans (Drawing Nos. 3515-P-02-U and 3515-P-17-E) except where other planning conditions specify otherwise. The Design Principles shall include the following matters:
- (i) The principles for the design, form, heights and general arrangement of external architectural features of buildings including the roofs and fenestration;
 - (ii) The principles for determining the colour, texture and quality of external materials and facings for the walls and roofing of buildings and structures;
 - (iii) Sustainable construction principles;
 - (iv) The principles for the design of the public realm to include the colour, texture and quality of surfacing of footpaths, parking areas, courtyards and other shared surfaces;

- (v) The principles for the design and layout of street furniture including street lighting, and measures to control of light pollution;
- (vi) The principles to ensure that there is appropriate access to buildings and public spaces for the disabled and physically impaired; and
- (vii) The location and design of bus stops (including the provision of Real Time Information displays) and a timetable for their provision.

The development shall be carried out in accordance with the approved Design Principles.

Reason: To assist with the determination of reserved matters applications and in order to ensure a high standard of design in accordance with the garden city concept and that infrastructure provision and environmental mitigation is provided to cater for the needs and impacts arising out of the development in accordance with the National Planning Policy Framework.

5. For each Development Parcel within the Eastern Neighbourhood the reserved matters submitted pursuant to Condition 1 shall be accompanied by the following details:

- a) The location and design of any recycling and refuse stores;
- b) The design, layout and materials of the internal roads, footways and cycleways;
- c) The design and location of cycle parking facilities which will not be provided as part of individual residential, commercial or community buildings;
- d) Any parking, turning, manoeuvring, loading/unloading areas not being provided as part of individual residential, commercial or community buildings; and
- e) A Waste Management Plan based upon the Waste Strategy (January 2013).

Each Development Parcel shall be developed in accordance with the details approved.

Reason: In order to ensure a high standard of design in accordance with the garden city concept; that infrastructure provision and environmental mitigation is provided to cater for the needs and impacts arising out of the development in accordance with policies ENV1 and ENV2 of the East Herts Local Plan Second Review April 2007 and the National Planning Policy Framework, and to ensure that all highway works and internal roads are built to Highway Authority standards and requirements.

6. Apart from enabling works, earthworks and access works, prior to the commencement of development of each Development Parcel within the Western Neighbourhood the following details shall be submitted to and approved in writing by the local planning authority:
 - a) The materials to be used in the construction of the external surfaces of the buildings;
 - b) The location and design of any recycling and refuse stores (if not already approved);
 - c) Programme for the implementation of the hard and soft landscaping details; and
 - d) A Waste Management Plan based upon the Waste Strategy (January 2013).
 - e) Notwithstanding the approved plans for Development Parcels B2 and B30, the architectural detailing, materials, external surfaces and boundary treatment of the buildings fronting Hadham Road and the Boulevard.
Each Development Parcel shall be developed in accordance with the details approved.

Reason: In order to ensure a high standard of design in accordance with the garden city concept; that infrastructure provision and environmental mitigation is provided to cater for the needs and impacts arising out of the development in accordance with policies ENV1 and ENV2 of the East Herts Local Plan Second Review April 2007 and the National Planning Policy Framework.

7. No development shall commence in relation to the earthworks for either the Western Neighbourhood or the Eastern Neighbourhood (as may be relevant) until approval of the details of the ground works for that neighbourhood comprising ground levels and any importation details have been submitted to and approved in writing by the local planning authority. The development shall be carried out as approved.

Reason: To ensure that the development is properly related to the levels of adjoining development in accordance with policy ENV1 of the East Herts Local Plan Second Review April 2007 and the NPPF.

8. The development hereby permitted shall be carried out in accordance with the approved plans identified in the Schedule to this planning permission.

Reason: For the avoidance of doubt and to ensure a satisfactory development.

9. Prior to the occupation of any dwelling on the Eastern Neighbourhood a scheme for the marketing of the healthcare (if relevant), retail and other commercial uses within the Eastern Local Centre (including timescales of not less than 4 years) shall be submitted to and approved in writing by the local planning authority. The Local Centre shall be marketed in accordance with the agreed scheme and monitored at 6 monthly review periods by the local planning authority.

Reason: To encourage the development of this market-led element within a wider mixed use development, in the interests of achieving a sustainable development in accordance with the NPPF.

10. Within the Eastern Neighbourhood's Local Centre the total floorspace falling within Class A1, A2, A3, A4 and A5 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) shall not exceed 1,000sq m (gross floorspace) of which only 600sq m

shall be used for retail purposes Class A1. None of the premises falling within Class A1, A2, A3, A4 and A5 shall individually exceed 200sq m (gross).

Reason: In order to define the permission and to ensure that commercial facilities provided are of a scale appropriate to a local centre in the interests of sustainability and in accordance with the NPPF.

11. Prior to the occupation of any dwelling on the Western Neighbourhood a scheme for the marketing of the employment, healthcare, retail and other commercial uses within western Local Centre (including timescales of not less than 3 years) shall be submitted to and approved in writing by the local planning authority. The Local Centre shall be marketed in accordance with the agreed scheme and monitored at 6 monthly review periods by the local planning authority.

Reason: To encourage the development of this market-led element within a wider mixed use development, in the interests of achieving a sustainable development in accordance with the NPPF.

12. Within the Western Neighbourhood's Local Centre the total floorspace available for uses falling within Class A1, A2, A3, A4 and A5 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) shall not exceed of 200sq m gross floorspace.

Reason: In order to define the permission and to ensure that commercial facilities provided are of a scale appropriate to a local centre in the interests of sustainability and in accordance with the NPPF.

13. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), no ground floor commercial/retail unit within the local centres of either the Eastern or Western Neighbourhood shall be

used for purposes falling within Use Class A2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To ensure that the local centres provide a useful and sustainable range of facilities for the future occupiers of the development that will add to the vitality and viability of the centre(s) in accordance with policies STC4(II) and STC7 of the East Herts Local Plan Second Review April 2007 and national policy contained in the NPPF.

14. No more than 200 dwellings within either the Western or Eastern Neighbourhood (as may be relevant) shall be occupied until full details of the equipment and surfacing of the children's play areas (which shall comprise 4 LEAPS and one NEAP in total) and the timing of their provision for that neighbourhood have been submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the details.

Reason: To ensure the satisfactory provision of play facilities across the site, in accordance with policy LRC3 of the East Herts Local Plan Second Review April 2007 and national planning policy contained in the NPPF.

15. The Primary Schools hereby permitted shall not be brought into use until details of a community use agreement has been submitted to and approved in writing by the Local Planning Authority. The details shall include pricing policy, hours of use, access by non-educational establishment users, management responsibilities, a management plan and a mechanism for review. The use shall thereafter be undertaken in accordance with the details approved in writing by the local planning authority.

Reason: To secure adequate, well managed, and safe community access to the sports facilities on the site in accordance with policy LRC2 of the East Herts Local Plan Second Review April 2007.

16. No building shall be occupied within either the Eastern or Western Neighbourhoods (as may be relevant) until a detailed Green Infrastructure and Biodiversity Management Plan has been submitted to and approved in writing by the Local Planning Authority for that neighbourhood, including long term design objectives, management tasks and maintenance schedules for all landscape areas (other than within the Development Parcels). The Management Plan shall include Hoggate's Wood and Ash Grove within the Western Neighbourhood, and Farnham Bourne Park within the Eastern neighbourhood and shall be based upon the draft Green Infrastructure and Biodiversity Management Plan (August 2013) and include details of the retention and enhancement of the biodiversity of the site as contained in Sections 6.0 and 7.0 of the Ecological Assessment (ACD) reference TWNT18027 Rev A dated August 2012. The development shall thereafter be carried out, managed, and maintained in accordance with the approved Plan.

Reason: To secure the sustainable management of Green Infrastructure within the development in accordance with policies ENV1, ENV2 and ENV17 of the East Herts Local Plan Second Review April 2007 and the NPPF.

17. Apart from enabling works, no development within the Eastern Neighbourhood shall commence until details of the specification and position of fencing and of any other measures to be taken for the protection of any retained tree or hedging from damage before or during the course of development have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure the continuity of amenity afforded by existing trees and hedges, in accordance with policies ENV2 and ENV11 of the East Herts Local Plan Second Review April 2007.

18. Apart from enabling works, no development within the Western Neighbourhood shall commence until the measures to be taken for the protection of any retained tree or hedging from damage before

or during the course of development have been carried out in accordance with Drawing Nos. 80321_LP(90)_0401, 80321_LP(90)_0402 80321_LP(90)_0403 and 80321_LP(90)_0404. The protection measures shall be maintained during the construction of the development unless otherwise agreed by the local planning authority.

Reason: To ensure the continuity of amenity afforded by existing trees and hedges, in accordance with policies ENV2 and ENV11 of the East Herts Local Plan Second Review April 2007.

19. For each Development Parcel the reserved matters submitted pursuant to conditions 1 and 2(a) shall be accompanied by full details of both hard and soft landscape proposals. These details shall include, as appropriate:
- (i) Proposed finished levels or contours;
 - (ii) Positions, design, materials and type of boundary treatment to be erected;
 - (iii) Hard surfacing materials; and
 - (iv) Minor artefacts and structures (e.g. street furniture, refuse or other storage units and signs); and
- Soft landscape details shall include:
- a) Planting plans including positions for all tree, hedge and shrub planting;
 - b) Written specifications (including cultivation and other operations associated with plant and grass establishment);
 - c) Schedules of plants, noting species, planting sizes and proposed numbers
 - d) Densities where appropriate; and
 - e) Implementation timetables including time of planting.
- The scheme shall be carried out and maintained as such in accordance with the approved details.

Reason: In the interests of the amenity of future residents and in accordance with the garden city concept, and to ensure that a detailed approach to the development of the built-up area (or parcels thereof) is agreed in order to safeguard the setting and

special character of the site in accordance with policies ENV1, ENV2 and ENV11 of the East Herts Local Plan Second Review April 2007.

20. No development in the Western Neighbourhood, apart from enabling works, earthworks and access works, shall commence until a programme for the implementation of the landscaping scheme comprising land which is not part of any Development Parcel but is within the Western Neighbourhood and shown on Drawing Nos. 3515/L22 Rev B; 3515 L23 Rev B; 3515/L24 Rev B; 3515/L25 Rev B; 3515/L26 Rev C and 3515/L27 Rev B has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved programme.

Reason: To ensure that the approved landscaping is implemented in the interests of amenity and in accordance with the garden city concept.

21. All hard and soft landscape works for each Development Parcel (not comprising a dwelling plot) within the Western Neighbourhood shall be carried out in accordance with the approved details, or where details are not approved by this planning permission, in accordance with plans to be submitted to and approved by the Local Planning Authority. The works shall be carried out prior to the occupation of any part of the Development Parcel or in accordance with a programme approved by the local planning authority.

Reason: To ensure that the approved landscaping is implemented in the interests of amenity and in accordance with the garden suburb concept.

22. The boundary treatment for each dwelling within the Western Neighbourhood shall be either erected or planted in accordance with details shown on the approved plans prior to the occupation of that dwelling or in accordance with a programme approved by the local planning authority.

Reason: To ensure that the approved boundary treatment is implemented in the interests of amenity and in accordance with

policies ENV1 and ENV2 of the East Herts Local Plan Second Review April 2007; the garden city concept and the NPPF.

23. If, within a period of five years from the date of the planting of any tree, that tree identified on the approved plans for the Eastern or Western Neighbourhoods as appropriate, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place, unless the local planning authority gives its written approval to any variation.

Reason: To ensure the welfare and longevity of trees that are essential to the realisation of the garden city design concept and in accordance with policy ENV2 of the East Herts Local Plan Second Review April 2007.

24. No development shall take place within the site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved scheme.

Reason: To secure the protection of and proper provision for any archaeological remains in accordance with policies BH2 and BH3 of the East Herts Local Plan Second Review April 2007 and the NPPF.

25. No building within either the Western or Eastern Neighbourhood (as may be relevant) shall be occupied until surface water drainage works for that neighbourhood have been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in National Planning Practice Guidance, the Outline SUDS Design Statement

(January 2013) and Surface Water Drainage Strategy (January 2013) and the results of the assessment provided to the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:

- a) Provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters; and
- b) Include a timetable for its implementation; and provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity in accordance with policies ENV20 and ENV21 of the East Herts Local Plan Second Review April 2007 and the NPPF.

26. No development, apart from enabling works, earthworks and access works, shall commence in respect of the Eastern Neighbourhood until a 10 year water quality monitoring and maintenance plan in respect of discharge to the Farnham Bourne, including targets for concentrations of contaminants and a timetable for the future submission of monitoring reports to the local planning authority, has been submitted to and approved in writing by the local planning authority. Details of any necessary contingency works to achieve the targets for concentrations of contaminants arising from the monitoring shall be submitted to and approved in writing by the local planning authority. Any necessary contingency works shall be carried out in accordance with the approved details.

Reason: To ensure the pollution prevention measures incorporated into the drainage system of the eastern neighbourhood are demonstrated to be effective so as to pose a low risk of

contamination to the water environment in accordance with policies ENV18, ENV20, ENV21 of the East Herts

27. No development, apart from enabling works, earthworks and access works shall take place within the Western Neighbourhood until a scheme for the provision and management of a minimum eight metre wide buffer zone alongside the Hoggate's Wood Drain ordinary watercourse has been submitted to and agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved scheme and the buffer zone shall be maintained as approved thereafter. Any subsequent amendments shall be agreed in writing with the local planning authority. The scheme shall include:
- a) plans showing the extent and layout of the buffer zone
 - b) details of any proposed planting scheme (which should comprise only native species)
 - c) details of any proposed footpaths, lighting and river crossings.

Reason: To secure the protection and enhancement of valuable wildlife habitats in accordance with policies ENV17 and ENV18 of the East Herts Local Plan Second Review April 2007 and national policy contained in the NPPF.

28. No development, apart from enabling works, earthworks and access shall take place within the Eastern Neighbourhood until a scheme for the provision and management of a minimum eight metre wide buffer zone alongside the Farnham Bourne main river has been submitted to and agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved scheme and the buffer zone shall be maintained as approved thereafter. Any subsequent amendments shall be agreed in writing with the local planning authority. The scheme shall include:
- a) plans showing the extent and layout of the buffer zone
 - b) details of any proposed planting scheme (which should only comprise native species)
 - c) details of any proposed footpaths, lighting and river crossings

Reason: To secure the protection and enhancement of valuable wildlife habitats in accordance with policies ENV17 and ENV18 of the East Herts Local Plan Second Review April 2007 and national policy contained in the NPPF.

29. All dwellings on the site shall achieve a water conservation standard of 110 litres per person per day. No dwelling shall be occupied until a Certificate has been issued for it certifying that the water conservation standard has been met.

Reason: To ensure that the development, which lies within an area of water shortage, makes the most efficient use of water and incorporates water conservation measures to create a sustainable form of development in accordance with the key aims of the NPPF.

30. No development, apart from enabling works, earthworks and access works shall commence within a Development Parcel in the Western Neighbourhood until details about how that Development Parcel shall achieve a reduction in energy use (or an equivalent reduction in carbon dioxide emissions) equivalent to at least 10% of the Development Parcel's energy supply coming from decentralised and renewable or low-carbon energy sources) have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the proposals result in a sustainable form of development that contributes to conserving and enhancing the environment in accordance with the core planning principles of the NPPF.

31. As a part of the reserved matters submissions required by condition 1 details about how a Development Parcel shall achieve a reduction in energy use (or an equivalent reduction in carbon dioxide emissions) equivalent to at least 10% of the Development Parcel's energy supply coming from decentralised and renewable or low-carbon energy sources) shall be submitted to and approved in

writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the proposals result in a sustainable form of development that contributes to conserving and enhancing the environment in accordance with the core planning principles of the NPPF.

32. No dwelling within the Western Neighbourhood shall be occupied until the Noise Attenuation Barrier has been constructed in accordance with the approved drawings.

Reason: To prevent noise nuisance from the adjacent road affecting future occupiers of the development in accordance with policy ENV25 of the East Herts Local Plan Second Review April 2007 and the NPPF.

33. No development hereby approved, apart from enabling works, access works and earthworks, shall commence within the Eastern Neighbourhood until details of the Noise Attenuation Barrier shown on Drawing No. 3515-P-17-E, including any landscaping, for the Eastern Neighbourhood have been submitted to and agreed in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To prevent noise nuisance from the adjacent road affecting future occupiers of the development in accordance with policy ENV25 of the East Herts Local Plan Second Review April 2007 and the NPPF.

34. No building shall be occupied within the Eastern Neighbourhood until the 2.5 metre high noise barriers have been erected to the south of 219 Rye Street and to the rear of 219 and 217 Rye Street.

Reason: To prevent noise nuisance from the adjacent road affecting future occupiers of those properties in accordance with policy ENV25 of the East Herts Local Plan Second Review April 2007 and the NPPF.

35. No dwelling shall be occupied within the Western Neighbourhood within 150 metres of the pump chamber within the Silver Leys Reservoir site until the noise mitigation works identified in paragraph 8.6.79 of the Environmental Statement (January 2013), or other mitigation works as may be agreed with the local planning authority as being necessary, have been carried out.

Reason: In the interests of the amenities of the occupiers of the new dwellings in accordance with policies ENV1 and ENV25 of the East Herts Local Plan Second Review April 2007.

36. Prior to commencement of development within either the Western or Eastern Neighbourhood (as may be relevant) a Construction Method Statement shall be submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- a) the parking of vehicles of site operatives and visitors;
- b) The routing of delivery vehicles;
- c) Loading and unloading of plant and materials;
- d) storage of plant and materials used in constructing the development;
- e) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- f) Protocol for the handling of soil;
- g) Wheel washing facilities;
- h) measures to control the emission of dust and dirt during construction;
- i) Measure to prevent the pollution of any watercourse;
- j) Scheme for recycling/disposing of waste resulting from demolition and construction works; and
- k) hours of construction

Reason: To minimise the impact of construction process on the local environment and local highway network.

37. No development shall take place until a construction training plan has been submitted to and approved in writing by the local planning authority. The plan shall include details of the following:
- a) The anticipated number of construction job opportunities
 - b) A scheme for the recruitment of local people during the construction period
 - c) A scheme for the promotion of apprenticeships and work experience for local people during the construction period
 - d) Employment and training initiatives for employees at local colleges during the construction period
 - e) Appointment of a co-ordinator to implement the plan
 - f) Monitoring of the plan
- Development shall be carried out in accordance with the approved plan.

Reason: To secure the opportunities available to help people into work and contribute to the economic and social sustainability of the development.

38. The development hereby permitted shall be carried out only in accordance with the submitted Flood Risk Assessment (January 2013).

Reason: To ensure that the development does not increase flood risk in the area in accordance with policy ENV19 of the East Herts Local Plan Second Review April 2007 and the policies of the NPPF.

39. No development within either the Western or Eastern Neighbourhoods (as relevant), including site clearance and the demolition of any buildings or earthworks, shall commence until a detailed mitigation plan for the protection of bats, badgers and great crested newts and their habitats as may be relevant for that neighbourhood has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved mitigation plan unless otherwise agreed in writing by the local planning authority.

Reason: To protect the habitats of wildlife that are European protected species or protected by schedules 1, 5 and 8 of the Wildlife and Countryside Act, 1981, as amended, and the Nature Conservation (Natural Habitats, etc) Regulations, 1994, and in accordance with policy ENV16 of the East Herts Local Plan Second Review April 2007

40. Means of vehicular access to the development hereby permitted shall not be from Dane O'Coy's Road except for the purposes of cycling, accessing, managing and maintaining Ash Grove and the Allotment Gardens/Community Growing Spaces.

Reason: To conserve the rural character of Dane O'Coy's Road in accordance with policy ENV1 of the East Herts Local Plan Second Review April 2007 and to reflect the applicant's traffic modelling.

41. Not later than the submission of the first reserved matters for the Local Centre within the Western Neighbourhood pursuant to condition 2(a), a written report shall be submitted to the local planning authority for approval which identifies whether there is a need to construct a pedestrian crossing on the boulevard in the vicinity of either the Western Neighbourhood Local Centre or the route of the existing public right of way between Hadham Road and Wickham Hall. If appropriate, the report shall include details of the pedestrian crossing and a timetable for its construction. The development shall be carried out in accordance with the approved details.

Reason: In the interests of safe and convenient pedestrian access in the area.

42. No dwelling within either Parcel B27 or B29 (as may be relevant) shall be occupied until details of the street lighting for that Parcel have been submitted to and approved by the Local Planning Authority and the lighting has been implemented in accordance with the approved details.

Reason: To ensure the lighting does not compromise the operation and rural character of Dane O'Coys Road.

Notes:

- i) "Enabling Works" means (i) surveying, (ii) environmental and hazardous substance testing and sampling (including the making of trial boreholes, window sampling and test pits in connection with such testing and sampling), (iii) soil tests, (iv) pegging out, (v) tree protection, (vi) ecological survey and mitigation works, (vii) archaeological investigation and (viii) demolition and removal of buildings and other structures on the Site or similar related works.
- ii) "Earthworks" means the strategic land re-profiling, remediation works and principal foul and surface water drainage infrastructure works attenuation ponds, and strategic swale and ditch corridors associated with the Strategic Engineering Elements and Development Parcels.
- iii) "Strategic Engineering Element(s)" means the strategic public utility works, foul water pumping station, surface water pumping and rising main, noise attenuation barrier, primary roads and strategic swale and ditch corridors not covered by "Earthworks".
- iv) "Development Parcel(s)" means part of a phase of the development within the Western Neighbourhood as shown on Drawings 80321/AP(00)1 rev A, 80321/AP(00)2 Rev A, 80321/AP(00)3 Rev A, and 80321/AP(00)4 Rev A and to be identified on the Phasing Plan submitted pursuant to condition 1(b).
- v) "Western and Eastern Neighbourhood(s)" - as shown on the EIA Parameters Plan 1 (Drawing No. 3515-P-02-X) and as described within the Design and Access Statement (January 2013) and the Environmental Statement (January 2013).
- vi) "Local Centre(s)" - means the local centres within the Eastern and Western Neighbourhoods as shown on Drawing No. 3515-P-02-X.

Informatives

1. The architects and developers are strongly advised to consult with the Crime Prevention Design Advisor at Herts Constabulary to mitigate against any rise in crime.

2. This permission does not convey any consent which may be required under any legislation other than the Town and Country Planning Acts. Any permission required under the Building Regulations or under any other Act, must be obtained from the relevant authority or body e.g. Fire Officer, Health and Safety Executive, Environment Agency (Water Interest) etc. Neither does this permission negate or override any private covenants which may affect the land.
3. Where works are required within the public highway to facilitate vehicle access, the Highway Authority require the construction of such works to be undertaken to their specification and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Eastern Herts Highways Area Office, Hertford House, Meadway Corporate Centre, Rutherford Close, Stevenage SG1 3HL (Telephone 0300 123 4047) for further information and to determine the necessary procedures.
4. This planning permission is also subject to a Planning Obligation under Section 106 of the Town and Country Planning Act 1990 (as amended).
5. The development will involve the numbering of properties and naming of new streets. The applicant MUST consult the Council. Application for this purpose should be made to the Local Land and Property Gazetteer Custodian, East Herts Council, Wallfields, Hertford, SG13 8EQ.
Tel: 01279 502185 (Direct)
Email: snn@eastherts.gov.uk

Summary of Reasons for Decision

East Herts Council has considered the applicant's proposal in a positive and proactive manner with regard to the policies of the Development Plan; the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England)

Order 2015 (as amended). The balance of the considerations having regard to those policies is that permission should be granted.

KEY DATA**Residential Development**

Residential density	51 units/Ha	
	Bed spaces	Number of units
Number of existing units demolished	0	
Number of flat units	1	9
	2	21
	3	0
Number of house units	1	46
	2	76
	3	141
	4+	32
Total		326

Affordable Housing

Number of units	Percentage
34	40%

Residential Vehicle Parking Provision

Current Parking Policy Standards

Parking Zone		
Residential unit size (bed spaces)	Spaces per unit	Spaces required
1	1.50	82.5
2	2.00	194
3	2.50	352.5
4+	3.00	96
Total required		722.5
Proposed provision		712