

DEVELOPMENT MANAGEMENT COMMITTEE – 17 JULY 2019

Application Number	3/19/0308/FUL
Proposal	Demolition of existing buildings and creation of 45 dwellings, comprising 28nos. 2 bedroom apartments, 13nos. 2 bedroom houses and 4nos. three bedroom houses, associated roads, car and cycle parking and landscaping, plus vehicle access from Ware Road and a new area of public open space off Hamels Drive.
Location	306-310 Ware Road, Hertford, SG13 7ER
Parish	Hertford
Ward	Hertford Kingsmead

Date of Registration of Application	20 February 2019
Target Determination Date	22 May 2019
Reason for Committee Report	Major
Case Officer	Rachael Collard

RECOMMENDATION

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

1.0 Summary of Proposal and Main Issues

1.1 The proposed development principally differs from that approved by virtue of the omission of two apartment buildings (containing 21 apartments) and the introduction of houses to the site's frontage to Ware Road. The proposed development within the southern part of the site comprising two apartment buildings (containing 28 apartments) which are substantially the same as previously approved".

- 1.2 The previous scheme comprised the demolition of existing buildings and creation of 51 dwellings, comprising 2no. three bedroom houses and 49no. 2 bedroom apartments, associated roads, car parking and landscaping, plus vehicle access from Ware Road and a new area of public open space off Hamels Drive.
- 1.3 The development of the site for housing is considered to be acceptable in principle.
- 1.4 The report sets out the issues for members to consider in relation to the proposals, the scale of development, site layout, amenity, the provision of housing and affordable housing, access arrangements and parking provision.

2.0 Site Description

- 2.1 The site comprises 0.75 ha of land, the main part of which is located on the south side of Ware Road. The site was formerly occupied by commercial development. The site also includes a small parcel of land above a cliff to the north of Hamels Drive which is disconnected from the main site.
- 2.2 It should be noted that this application follows a previously approved development granted under application reference 3/17/0645/FUL. A site visit has confirmed that work is underway on the site.
- 2.3 Historically the main site was occupied by a garage (petrol sales, car sales and vehicle repairs), a coach works and plastics factory. However, the site was vacated and cleared many years ago.

3.0 Planning History

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

3/17/0645/FUL	Demolition of existing buildings and creation of 51 dwellings, comprising 2no. three bedroom houses and 49 no. 2 bedroom apartments, associated roads, car parking and landscaping, plus vehicle access from Ware Road and a new area of public open space off Hamels Drive.	Granted, subject to a legal agreement and the conditions	31 January 2019
3/16/1792/FUL	Development of site to provide a total of two houses and three apartment buildings (containing a total of 65 apartments) set in landscaping with access, parking and manoeuvring areas.	Withdrawn	October 2016
3/11/1616/FP	Demolition of existing house and erection of 14 dwellings and a veterinary surgery	Approved	February 2010

3/10/0088/FP	Redevelopment to provide 5 commercial units with associated parking	Refused	June 2010
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4.0 **Main Policy Issues**

4.1 These relate to the relevant policies in the National Planning Policy Framework (NPPF 2019) and the adopted East Herts District Plan 2018.

Main Issue	NPPF	DP policy
Principle	NPPF	INT1 DPS2 Hert1
Design and layout	Section 12	DES1 DES2 DES3 HOU2 HOU7, CC1, CC2, WAT4
Highway implications	Section 9 and 10	TRA1 TRA2 TRA3
Housing and affordable housing	Section 5	HOU1 HOU2 HOU3
Neighbour impact	Section 12	DES3
Flood risk and surface water drainage	Section 14	WAT1 WAT5
Planning obligations and infrastructure		DPS4 DEL1 DEL2

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

5.0 Summary of Consultee Responses

- 5.1 HCC Local Highway Authority (LHA) The LHA does not object to the application subject to conditions.
- 5.2 Lead Local Flood Authority recommends conditions are attached to any planning permission granted.
- 5.3 Environment Agency recommends that risks to groundwater and surface waters from contamination are identified and appropriate remedial action recommended.
- 5.4 Thames Water would advise that with regard to waste water network and waste water process infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.
- 5.5 HCC Historic Environment Unit comments that the site is unlikely to have a significant impact on heritage assets of archaeological interest.
- 5.6 EHDC Landscape Advisor recommends conditions.
- 5.7 Herts Ecology request a condition requiring follow-up badger surveys and all other mitigation and enhancement measures should be followed by informative or condition as appropriate.
- 5.8 Natural England does not wish to comment.
- 5.9 HCC Development Services request financial planning obligations towards nursery and primary education, childcare, library services and youth services and fire hydrants as further detailed in the report.

- 5.10 EHDC Environmental Health Advisor recommends conditions including a construction management plan, noise attenuation, contaminated land survey and remediation.
- 5.11 Hertfordshire Constabulary fully supports the application.
- 5.12 Waste Services comment that the recycling points are in excess of the pull distance for waste operatives.

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

6.0 Town/Parish Council Representations

- 6.1 Hertford Town Council raises no objection. On the whole the committee were happy with the development subject to the access provision being approved by Highways.

7.0 Summary of Other Representations

- 7.1 10 responses were received in relation to the original submission. Amended plans were submitted during the course of the application, neighbours were re-consulted on the amendments. Additional 4 responses were received. The responses received object to the proposal on grounds of:

- Additional traffic generation, congestion, lack of parking and highway safety;
- Poor quality design/materials/aesthetics, which do not reflect the surroundings;
- Position and security impact of public open space off Hamels Drive;
- Lack of school places, doctors etc;
- Noise impact;
- Overlooking of Ware Road properties opposite;
- Adverse impact on wildlife;
- Loss of privacy and security;

- Concerns during the construction phase and nuisance from builders.

8.0 Consideration of Issues

Principle

- 8.1 The site lies within the settlement of Hertford wherein development is acceptable in principle. Policy DPS2 directs development into the Districts urban areas and all new residential development should be well sited having regard to access to services, local infrastructure and specific constraints of the site.
- 8.2 The site has an extant permission for the re-development of the site for 51 dwellings granted under application 3/17/0645/FUL on 20th December 2018. It should also be noted that clearance and works on the site have begun.
- 8.3 The site is reasonably located to the town centres of Hertford and Ware with bus links along Ware Road. The site would therefore perform well in sustainability terms.
- 8.4 The site has previously been used for employment purposes. Policy ED1 states that the loss of an existing employment site will only be permitted where the retention of the premises for employment use has been explored without success. In this instance the site has not been in employment use for many years and it has been cleared. As with the previous application a marketing report has been submitted confirming that the site was marketed and that no interest was received for its redevelopment for employment use. Furthermore, as the site has an extant planning permission and works on site have commenced this forms a fall-back position and therefore the loss of the employment use has been accepted.

Layout, Design, Scale and Impact on the Character and Appearance of the Area

- 8.5 Policy DES4 requires that new development achieves a high standard of design and that it is compatible with the surrounding area. These requirements are reflected in the NPPF which stresses the importance of good design as a key aspect of sustainable development. Policy DES3 requires proposals on prominent sites to give special consideration to landscaping.
- 8.6 The current proposal differs from the previously approved scheme and has resulted in a reduction in the number of units at the site. The type of units has altered with a larger proportion of dwelling houses rather than apartments. The proposal seeks to provide 28 two bedroom apartments, 13, two bedroom dwellings and 4, three bedroom dwellings.
- 8.7 The key changes seen under the current application vs the granted consent are as follows:
- The number of dwelling units has been reduced from 51 to 45.
 - Decrease in the number of flatted units on the site and an increase in the number of dwellinghouses on the site.
 - Relocation of the substation on the site.
- 8.8 The apartments will be contained within 2 flatted blocks to the rear of the site and would be 4 storeys in height. The two flatted blocks proposed are identical in character, appearance and scale to the flatted blocks approved under the previous planning application. The designs of the two flatted blocks are traditional in character with pitched roofed forms and good articulation with the use of fenestration, and balconies. In addition the blocks would feature undercroft car parking.
- 8.9 The dwelling houses would consist of 4 blocks of terraced houses that would front onto Ware Road in a staggered formation, whilst 2 sets of semi-detached dwellings would be

sited to the rear, accessed via the new access road from Ware Road. The properties fronting onto Ware Road are the most prominent and most sensitive part of the development and would consist of 2.5 and 3 storey dwellings and would be traditional in terms of their character and appearance. It is noted that three sets of the terraces would feature gabled roof forms with dormer windows, whilst the block of 4 dwellings would be higher and would feature hipped roof forms with no rooms in the roof. Whilst the style and design differs to those properties seen immediately next door at No. 304c, the elevations are well articulated with various design features adding interest to the buildings, which are more reflective of traditional Victorian styles seen close to the application site. The semi-detached properties are similar and would be of a traditional character.

- 8.10 The site includes an access road into the site leading to several areas of communal car parking. These parking areas are broadly in the same location as those in the previous consented scheme. The site includes areas of soft landscaping to break up the hard surfacing and a mixture of hard surfacing materials helps to break up any large areas. In addition to the south of the site, an amenity area located on top of the cliff is proposed. As with the original application due to the significant land level differences and the gradient, access can only be gained from Hamels Drive and therefore this amenity area would not be readily accessible for the residents of the development.
- 8.11 Overall, subject to the use of good quality materials for the buildings and hard landscaping the layout and design is considered to be acceptable, these details can be controlled through condition.
- 8.12 In addition it is noted that the existing electricity sub-station located on the site would be relocated. It would remain along the eastern elevation with the adjacent commercial building. However it would be sited approximately 6.5m further to the rear than its existing position and would be housed within a

brick built, flat roofed structure. The proposed change is not considered to be objectionable and would improve the overall appearance in this part of the development.

- 8.13 The overall density of the development would decrease from the consented scheme and would be approximately 60dph. However, excluding the land on the south side of the site above the cliff would provide a development density for the main part of the site of approximately 69.2dph. The recently completed development at 356-364 Ware Road to the east has a density of 85dph. The density of development is considered to compatible with the surrounding area and comparable with recent residential developments on the south side of Ware Road.
- 8.14 Having regard to policy HOU7, all properties would meet Building Regulations requirement M4(2) and the Council's housing team are satisfied with the type and mix of units.
- 8.15 With regards to water resources and policy WAT4, the applicant has confirmed that the development has been designed to be provided with water efficient fixtures and fittings to reduce water consumption to include the following features: Flow restrictors to taps and showers, water efficient white goods where provided, dual flush toilets, water butts. These are all to achieve the target of 110 litres or less per head per day. The proposal complies with policy WAT4.
- 8.16 Having regard to climate change adaptation and mitigation (policies CC1 and CC2) and the building design requirements of policy DES4, the application is supported by an addendum to the Design and Access Statement. The Statement assesses the use of different renewable energy solutions. The applicant's preferred approach, and one that is in line with the Council's policy approach and energy hierarchy, is to employ what is known as a 'fabric-first' approach. This means that the design of new homes achieves consistently high energy efficiency in order to achieve low CO2 emission rates, through the choice of construction materials, levels of insulation and internal design

to reduce the need for mechanical heating and cooling, rather than relying on the use of bolt-on renewable energy technologies. This will result in building design specifications that exceed the requirements of Building Regulations.

Neighbouring residential amenity

- 8.17 In accordance with policy DES4, proposals should respect the amenity of occupiers of neighbouring buildings and those of future occupiers, ensuring that daylight, sunlight, privacy and overshadowing would not result in a harmful impact.
- 8.18 The site is adjacent to the Taylor Trading Estate, which consists of a number of commercial buildings. The proposed development is not considered to have a detrimental impact to the occupiers of this site.
- 8.19 Immediately opposite the site are residential dwellings, the proposed development along the frontage of the site is as such that it is not considered to give rise to an adverse impact on existing neighbouring development due to the separation distance maintained and the proposed development would have a similar relationship to other dwellings that already exist on Ware Road. To the west of the site lies 304c Ware Road, the closest dwellinghouse would sit forward of the front elevation of this dwelling, however, due to the separation distance maintained between the existing and proposed dwelling it is not considered that the proposed development would have a detrimental impact on the occupiers of this property. It should also be noted that residential properties accessed from Cockbush Avenue can be found immediately west of the site and the land rises steeply from Ware Road. No's 2 to 8 Cockbush Avenue would back onto the site, however due to the layout sought No's 2 and 4 would face onto the parking area whilst No's 6 to 8 would face the flatted block. It is considered that due to the separation distances achieved, the proposed development whilst visible to these dwellings would not result in an unacceptable relationship.

8.20 With regards to the upper part of Cockbush Avenue and the application the application site, the land descends steeply. The distance between the block facing properties in Cockbush Avenue is considered to be satisfactory. The closest property is No.10 Cockbush Avenue (9.0m). However, due to the change in levels between Cockbush Avenue and the site the front elevation of this property with look out at an angle over the top portion of the block with an intervening existing tree belt. In the circumstances whilst there will be some loss off outlook to properties in Cockbush Avenue this will not be significant. However, a levels condition is recommended to enable the LPA to retain control of this relationship.

Highway implications

8.21 Access to the proposed development remains the same as the consented scheme and is via a single access off Ware Road. The Highway Authority considers that the access arrangements are satisfactory.

8.22 Along with a reduction in the number of units proposed the level of car parking provision has decreased. 92 spaces are now proposed across the site which includes spaces for the residential dwellings and several visitor parking spaces. In accordance with the updated parking standards, the development would require a maximum of 92 parking spaces and as such the proposed scheme is in compliance with the Council's updated car parking standards. The Design and Access statement sets out that each of the 2 bedroom properties would have 2 spaces each, whilst the three bedroom dwellings would be allocated 2.5 spaces. In addition the site lies within accessibility zone 4 wherein provision could be reduced by up to 25%. Some reduction would normally be appropriate. However, in this case given the known on-street parking issues on Ware Road provision at the top end of the range is considered to be appropriate. In this instance the level of parking proposed is in accordance with the updated parking standards.

- 8.23 By comparison the recently completed development at 356-364, Ware Road provided 60 spaces where the adopted standard required a maximum of 61 spaces and the updated parking standards required within the range of 54-72 spaces (equivalent to 1.75 spaces per unit).
- 8.24 In addition the layout proposes 30 cycle storage spaces in 3 blocks to serve the flat blocks. A condition is recommended requiring the approval of design details. The dwellinghouses would have rear garden areas with individual accesses; it is considered that cycles would be stored in the garden areas.
- 8.25 The Highway Authority do not wish to raise an objection to the application subject to conditions noting that the scheme is similar to the previous consented scheme.
- 8.26 The majority of comments received on the application from third parties raise concerns about traffic generation and parking. Whilst it is acknowledged that parking is a concern for residents the scheme is providing parking in compliance with the Council's updated parking standards. Having regard to the amendments made to the scheme and the comments received from the Highway Authority, it is considered that the proposal complies with the relevant highways/parking planning policies and the proposal would not result in severe highways impact.
- 8.27 The Highway Authority request a financial planning obligation of £35,250 towards proposed improvements to pedestrian and cycle routes along Ware Road and Hertford East station and a travel plan condition.
- 8.28 The applicant has provided details of electric charging points, all uncovered spaces will be provided with infrastructure for future points should they be required and sockets would be provided for all undercroft parking spaces.

Housing and affordable housing

- 8.29 The proposal provides for the provision of 45 units. The proposal consists of a mix of properties primarily of two bedroom units. Policy HOU1 of the District Plan requires that an appropriate mix of housing with regard to tenure, type and size is provided. The Strategic Housing Market Assessment (SHMA) provides a requirement for 7% of new open market housing and 11% of affordable housing to be provided as 2+ bed flats with an assessment of delivery being across all developments in the District.
- 8.30 Unlike the previously approved scheme, the application proposes (19 units) of affordable housing which is slightly in excess of the 40% requirement under District Plan policy and therefore is compliant with Policy HOU3 and therefore is deemed to be acceptable.
- 8.31 The affordable housing provision is to be located within the 2 rear blocks. The Council's Housing Officer has been consulted on the application and whilst the housing mix is not the preferred housing mix, due to the offer being identical to the previous application the proposal is considered to be acceptable in this instance and the Council's Housing Officer does not raise any objections.

Flood risk and surface water drainage

- 8.32 The site is situated wholly within Flood Zone 1 and is therefore not liable to watercourse flood risks.
- 8.33 The Lead Local Flood Authority (LLFA) advises that subject to detailed design the surface water drainage strategy is satisfactory. Conditions are recommended to require the approval of the detailed design. The detailed design is the subject of a recommended condition.

Other matters

- 8.34 HCC Historic Environment Unit advise that the site is unlikely to have any archaeological significance.
- 8.35 Herts Ecology requests a condition requiring a species survey to be undertaken and depending on the findings appropriate mitigation measures.
- 8.36 It should be noted that an amended refuse collection layout has been submitted following comments from waste services. As such plots 1 -4 will be required to use the recycling collection point at the edge of the car park in order to be within the required distance for waste operatives. A condition has been imposed requiring details of the collection points to be submitted.

9.0 Planning Obligations

- 9.1 Having regard to the NPPF and the Community Infrastructure Levy Regulations (CIL) the following obligations have been agreed:

The provision of affordable housing (4 x intermediate and 15 x affordable rent).

HCC sustainable transport - pedestrian and cycle improvements along Ware Road and Hertford East station	£35,250.00
HCC Travel Plan monitoring fee	£6,000.00
HCC Education nursery/early years	£9,410.00
HCC Education Primary	£51,457.00
HCC Childcare	£3,100.00
HCC Libraries	£5,704.00

HCC Youth - improvements to kitchen

at Ware Youth Centre	£667.00
EHDC Parks and Public Gardens	£11,741.83
EHDC Outdoor Sports	
£32,519.23	
EHDC Children and Young Peoples Play	£4,802.98
Total	£154,652.04

- 9.2 The Highway Authority advise that following identification of improvement needs in the Hertford and Ware Transport Plan, a feasibility study and measures to improve pedestrian and cycle links along Ware Road and Hertford East Railway Station is currently being finalised. Appropriate measures are being considered from the Ware Road/Stanstead Road junction to the Ware Road/Mill Road junction. Given the location of the site the measures will enhance the route along the Ware Road and mitigate the impact of traffic associated with the development of the site.
- 9.3 Justification has been provided by Herts County Council for the requested contributions towards education, childcare, libraries and youth facilities.
- 9.4 The proposal comprises a mix of development with apartment blocks and dwellinghouses. The nature of the development is such that there is no on-site provision for outdoor recreation. The development is in reasonable proximity and public transport accessibility to Hartham Common and the contributions are therefore considered to be justified.
- 9.5 It is noted that concerns were raised by third parties regarding health provision. The NHS has responded to the consultation request and are seeking £31,851.14 for General Medical Services GP provision. £8,750 mental health costs to be focused on the East and North Herts inpatient facility in Stevenage or the Hertford Health and Wellbeing Centre. £8,191 community

healthcare costs to be focused on the HCT Stevenage Health and Wellbeing Hub or the HCT Hoddesdon Local Health Hub. £99,650 for acute costs to be focussed on the Lister Hospital. In order for the Council to be able to request such contributions, specific projects need to be identified. In this instance there is insufficient information to demonstrate the specific projects the money would be spent and it should be noted that no contributions towards healthcare were requested under the previous extant planning permission. As such it is not considered reasonable to request such monies.

10.0 Conclusion – The Planning Balance

- 10.1 The proposal would result in the redevelopment of this vacant brownfield site and would provide 45 dwellings of which 19 units would be affordable housing. There is no objection in principle to the development and the provision of housing and affordable housing on this brownfield site carries significant positive weight.
- 10.2 The parking provision is in accordance with the updated parking standards and Zone 4 accessibility reduction has not been applied. This is considered to be appropriate in the context of Ware Road. The Highway Authority has no objection to the proposal. The impact of the proposal on the highway network is deemed to be neutral.
- 10.3 The density of development is satisfactory in the context of the site and its surroundings and the layout and building design is of reasonable good quality carrying positive weight.
- 10.4 It is considered that the proposed development will not result in significant harm to neighbouring properties and that the neighbour impact would be neutral.
- 10.5 It is considered that other issues and matters of detail can be satisfactorily addressed by the imposition of conditions.

- 10.6 The proposed fabric design provides for a sustainable form of development in accordance with policies DES4
- 10.7 Overall, the proposal is considered to be acceptable and that it accords with the relevant planning policies providing a sustainable form of development. The application is therefore recommended for approval.

RECOMMENDATION

That planning permission be **GRANTED** subject to the conditions set out below and the satisfactory conclusion of a legal agreement to secure the following:

Legal Agreement

- The provision of affordable housing (4 x intermediate and 15 x affordable rent).
- HCC sustainable transport £35,250.00
- HCC Education Nursery £9,410.00
- HCC Education Primary £51,457.00
- HCC Childcare £3,100.00
- HCC Libraries £5,704.00

- HCC Youth (improvements to Ware Youth Centre) £667.00
- EHDC Parks and Public Gardens £11,741.83
- EHDC Outdoor Sports £32,519.23
- EHDC Children and Young People £4,802.98

(all index linked)

- Provision of fire hydrants

The agreement shall also provide arrangements for the ongoing maintenance of the public open space on the south side of the site as indicated on the approved plans.

Conditions

1. Three year time limit
2. Approved plans
3. Levels
4. Boundary walls and fences
5. Samples of materials
6. Lighting details
7. Communal TV facilities
8. Cycle parking facilities
9. Contaminated land survey and remediation
10. Hard surfacing
11. Details of the recycling collection points shall be submitted to an approved in in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details prior to occupation of the development hereby permitted.

Reason: In the interests of the appearance of the development, and in accordance with policy DES4 of the East Herts District Plan 2018.

12. The development shall not be occupied until details of a Travel Plan for the development as a whole has been submitted to and agreed in writing by the Local Planning Authority. The plan shall make provision for relevant surveys, review and monitoring mechanisms, targets, further mitigation, timescales, phasing programme and on-site management responsibilities. It shall be

implemented and subject to regular review in accordance with the above approved details.

Reason: To ensure that the development traffic is within the predicted levels in TA, to promote sustainable transport measures and maintain the free and safe flow of traffic.

13. Prior to commencement of development hereby approved all access and junction arrangements shall be completed in accordance with the approved Transport Statement by Lime Transport dated January 2019, drawing 19105.OS.101.09 and constructed to the specification of the Highway Authority and to the satisfaction of the Local Planning Authority.

Reason: To ensure that the access is constructed to the specification of the Highway Authority and to provide adequate visibility splays in the interests of highway safety in accordance with policy TRA2 of the East Herts District Plan 2018.

14. Concurrent with the construction of the access, visibility splays as illustrated on drawing number 19105.OS.101.09 contained within the Transport Statement by Lime Transport January dated 2019, shall be provided and permanently maintained in each direction, within which there shall be no obstruction to visibility between 600mm and 2m above carriageway level.

Reason: To ensure that the access is constructed to the specification of the Highway Authority and to provide adequate visibility splays in the interests of highway safety in accordance with policy TRA2 of the East Herts District Plan 2018.

15. Prior to first occupation of the development hereby approved, the access roads and parking areas shown on the approved plans shall be provided and permanently maintained.

Reason: To ensure adequate provision of parking in accordance with Policy TR3 of the East Herts District Plan 2018.

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

Reason: So that vehicles may enter and leave the site with the minimum interference to the free flow and safety of other traffic on the highway in accordance with policy TRA2 of the East Herts District Plan 2018.

17. Prior to first occupation of the development hereby permitted, the existing vehicular access shall be permanently closed and the kerbs and (footway/verge) reinstated to the satisfaction of the Local Planning Authority.

Reason: In the interests of highway safety and amenity in accordance with policy TRA2 of the East Herts District Plan 2018.

18. Prior to the commencement of development hereby approved, a Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority. The CMP shall identify details of:

- Phasing of the development;
- Methods of accessing the site;
- Construction vehicle routing and numbers;
- Location and details of wheel washing facilities;
- Details of parking and storage areas clear of the highway;
- Environmental management details including hours of working, the mitigation of noise and dust and any other matters covered under BS5228.

The development shall thereafter be implemented in accordance with the approved details.

Reason: To minimise the impact of construction on the highway network, neighbouring occupiers and the environment.

19. The development hereby permitted shall be carried out in accordance with the Drainage Statement carried out by

Persimmon, Issue 4, dated 23rd January 2019, the Drainage Strategy drawing PHE/WR/001 dated 03/2016 and the Engineering Details PHE/WR/003 dated 05/2017 and the following mitigation measures:

1. Provide attenuation 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.
2. Implement drainage strategy based on infiltration and include lined permeable paving, swales, pipes and a cellular soakaway as indicated on the proposed drainage strategy drawing.

Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with policy WAT1 of the East Herts District Plan 2018.

20. No development shall take place until the final design of the drainage scheme has been submitted to and approved in writing by the local planning authority. The surface water drainage system will be based on the submitted Drainage Statement carried out by Persimmon, Issue 4 dated, 23rd January 2019, the Drainage Strategy drawing PHE/WR/001 dated 03/2016 and the Engineering Details PHE/WR/003 dated 05/2017. The scheme shall include:
 - Detailed infiltration tests to BRE Digest 365 standard carried out at the location and depth of the proposed infiltrating features (cellular soakaway). Ensuring that the soakaway is design to have half drain down time.
 - Detailed engineered drawings of all the proposed SuDS features including their location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling to ensure the scheme caters for all rainfall events up to and including 1 in 100 year + 40% allowance for climate change event.

- Demonstrate an appropriate SuDS management and treatment train and inclusion of above ground features such as permeable paving, swales etc and reducing the requirement for any underground storage.
- Silt traps for protection for any residual tanked elements.

The development shall thereafter be implemented in accordance with the approved details before the development is completed.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal from surface water in accordance with policy WAT1 of the East Herts District Plan 2018.

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

Reason: To prevent flooding by ensuring the satisfactory storage and disposal from surface water.

22. Prior to the commencement of development hereby approved, reptile and badger surveys shall be carried out within the site by a licensed ecologist. A report of the findings including suitable mitigation strategies, if required, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved report.

Reason: To safeguard wildlife in accordance with Policies NE2 and NE3 of the East Herts District Plan 2018.

23. No above ground development shall take place until a scheme for protecting the proposed dwellings from noise from road traffic and the adjacent commercial units has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the scheme providing protection for those dwellings has been implemented in accordance with the approved details and has been demonstrated to achieve the required noise levels to the satisfaction of the Local Planning Authority. The approved scheme shall be retained in accordance with those details thereafter.

Reason: To safeguard the amenity of future occupiers in accordance with Policy EQ2 of the East Herts District Plan 2018.

24. No development shall take place until a Phase 2 investigation report, as recommended by the previously submitted Brown2GreenGeo-environmental Site Investigation report dated March 2016 (Ref:1578Rpt1V1), 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 national planning policy guidance set out in section 11 of the National Planning Policy Framework and in order to protect human health and the

environment in accordance with policy EQ1 of the East Herts District Plan 2018.

25. Prior to the occupation a validation report shall be submitted to and approved in writing by the Local Planning Authority to demonstrate the effectiveness of any agreed remediation strategy. Any such validation shall include responses to any unexpected contamination discovered during works.

Reason: To minimise and prevent pollution of the land and the water environment and in accordance with national planning policy guidance set out in section 11 of the National Planning Policy Framework and in order to protect human health and the environment in accordance with policy EQ1 of the East Herts District Plan 2018.

26. Prior to the commencement of above ground construction full details of both soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. The details shall include (a) planting plans (b) schedules of plants, species, size and densities (c) timetable for implementation. Thereafter the development shall be implemented in accordance with the approved details.

Reason: To ensure the provision of landscaping in accordance with Policy DES3 of the East Herts District Plan 2018.

27. Landscape works implementation (4P13)

28. Piling works (2E39)

29. Prior to first occupation measures shall be incorporated within the development to ensure a water efficiency standard of 110 litres (or less) per person per day.

Reason: To help support improvements in water and in accordance with Policy WAT4 and DES4 of the East Herts District Plan 2018

30. Prior to above ground works, details of the electric vehicle changing points shall be provided to and agreed in writing by the Local Planning Authority. The approved scheme shall be retained in accordance with those details thereafter.

Reason: To help support improvements in air quality and in accordance with Policy TRA3 and CC2 of the East Herts District Plan 2018

31. Prior to the first occupation of the development hereby approved, 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 of the East Herts District Plan 2018.

Informatives

1. Other legislation (OL01)
2. Street naming and numbering (19SN)
3. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended, it is an offence to remove, damage, or destroy the nest of any wild bird while that nest is in use or being built. Planning permission does not provide a defence against prosecution under this Act.

4. The applicant is advised that in order to comply with this permission it will be necessary to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements.

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	60 dwellings/Ha	
	Bed spaces	Number of units
Number of existing units demolished		1
Number of new flat units	1	
	2	28
	3	
Number of new house units	1	
	2	13
	3	4
	4+	
Total		45

Affordable Housing

Number of units	Percentage
19	42

Residential Vehicle Parking Provision

Current Parking Policy Maximum Standards (EHDC 2007 Local Plan)

Parking Zone	4	
Residential unit size (bed spaces)	Spaces per unit	Spaces required
1	1.25	
2	1.50	61.5
3	2.25	9
4+	3.00	
Total required		70.5
Proposed provision		92

Updated Parking Standards (endorsed at District Plan Panel 19 March 2015)

Parking Zone		
Residential unit size (bed spaces)	Spaces per unit	Spaces required
1	1.50	
2	2.00	82
3	2.50	10
4+	3.00	
Total required		92
Accessibility reduction	25%	23
Resulting requirement		69
Proposed provision		92

Legal Agreement – financial obligations

This table sets out the financial obligations that could potentially be sought from the proposed development in accordance with the East Herts Planning Obligations SPD 2008; sets out what financial obligations have actually been recommended in this case, and explains the reasons for any deviation from the SPD standard.

Obligation	Amount sought by EH Planning obligations SPD	Amount recommended in this case	Reason for difference (if any)
Affordable Housing	40%	42%	Developer is seeking to provide 19 units which equates to 42%
Parks and Public Gardens	£11,741.83	£11,741.83	
Outdoor Sports facilities	£32,519.23	£32,519.23	

Children and Young People	£4,802.98	£4,802.98	
Maintenance contribution - Parks and public gardens	£0	£0	No maintenance required as not new provision provided
Maintenance contribution - Outdoor Sports facilities	£0	£0	No maintenance required as not new provision provided
Maintenance contribution - Amenity Green Space	£0	£0	No maintenance required as not new provision provided
Maintenance contribution - Provision for children and young people	£0	£0	No maintenance required as not new provision provided

Obligation	Amount sought by Hertfordshire County Council	Amount recommended in this case	Reason for difference (if any)
Primary Education	£51,457	£51,457	
Nursery Education	£9,410	£9,410	
Childcare Service	£3,100	£3,100	
Library Service	£5,704	£5,704	
YC Hertfordshire	£667	£667	
Highways	£35,250	£35,250	