

DEVELOPMENT MANAGEMENT COMMITTEE – 6 NOVEMBER 2019

Application Number	3/18/1820/FUL
Proposal	Extension of spine road from Hoggate's Park to the secondary school site
Location	Stortford Fields, Bishop's Stortford
Parish	Bishop's Stortford
Ward	Bishop's Stortford Silverleys

Date of Registration of Application	09 August 2018
Target Determination Date	ETA 30 November 2019
Reason for Committee Report	Major application
Case Officer	Stephen Tapper

RECOMMENDATION

That planning permission be **GRANTED** subject to the conditions set out at the end of this report.

1.0 Summary of Proposal and Main Issues

- 1.1 The current proposal is to extend the road along a similar course to the temporary haul road, utilising the space between Hoggate's Park/Hoggate's Wood and the bund adjacent to the A120 by-pass. It will then proceed across what is currently open land to the site of the secondary school.
- 1.2 The second phase of the spine road is required in order to provide suitable access to the proposed secondary school that will serve Bishop's Stortford North (BSN) and the wider area. The main issues to consider are whether the design of the road will encourage sustainable travel; sustainable drainage; the design of a public right of way crossing point; and the continuation of the boulevard of trees that characterises phase 1 of the road.

2.0 Site Description

2.1 The spine road currently terminates at Hoggate's Park, which is as far as it needed to go to enable building on the development parcels in the Western Neighbourhood. It obtained detailed planning permission in 2015 (3/13/0804/OP) although improvements have been made to the layout and engineering of the road more recently throughout the process of obtaining technical approval from the Highway Authority.

3.0 Planning History

The following planning history is of relevance to this proposal:

Application Number	Proposal	Decision	Date
3/13/0804/OP	Outline permission for Stortford Fields, with full details of the Western Neighbourhood (except the Neighbourhood Centre), to include 2,200 dwellings, primary schools, sports facilities, open space, employment land and other land uses.	Approved subject to conditions and Section 106 agreements.	01/04/15

4.0 Main Policy Issues

4.1 These relate to the relevant policies in the National Planning Policy Framework (NPPF), the adopted East Herts District Plan 2018 (DP), and the Bishop's Stortford (Silverleys and Meads) Neighbourhood Plan 2014 (NP).

Main Issue	NPPF	DP policy	NP policy
Sustainable travel	Paras 102 to 111	TRA1 TRA2	TP3, TP4, TP5
Sustainable drainage	Paras 163, 165	WAT1, WAT5	-
Public Rights of Way	-	TRA1(f)	TP4, GIP5
Design and landscaping	Para. 127	DES2	HDP1(b), HDP2(e)

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 Following amendments including carriageway width, gradient, and a public right of way (PROW) crossing point the Highway Authority has no objections, subject to a condition requiring road management details prior to adoption by the Authority and details of a means of preventing unauthorised vehicular access to the PROW and the tunnel under the by-pass.
- 5.2 Lead Local Flood Authority Following the submission of additional and revised drawings and calculations the LLFA has no objections subject to conditions.
- 5.3 HCC Historic Environment Unit have no objection on the basis that archaeological investigations have already been carried out in this part of Stortford Fields and the development is unlikely to have a significant impact on assets of archaeological interest.
- 5.4 The Ramblers Association (Bishop's Stortford and Thorley) The Association drew attention to the need for a suitable crossing point for Public Right of Way 001, which must be kept open at all times. It therefore endorsed the Town Council's request for a condition to ensure the footpath is not blocked by construction materials.
- 5.5 (Note: EHDC, East Herts District Council; HCC, Hertfordshire County Council)

6.0 Town Council Representations

- 6.1 The Town Council have no objection subject to a condition requiring that the public right of way is not blocked or littered with construction materials during the construction of the road.

7.0 Summary of Other Representations

- 7.1 No responses have been received.

8.0 Consideration of Issues

Sustainable Travel

- 8.1 At all levels planning policy emphasises the importance of encouraging sustainable modes of travel such as public transport, cycling and walking. The Neighbourhood Plan in Policies TP3, 4 and 5 encourages the development of “walkable neighbourhoods”; connected footpaths and cycleways; and convenient bus services. The spine road includes a footway and cycleway along its length and has been designed to a width that is suitable for buses, with convenient bus stops. There are design features intended to slow the traffic in order to make cycling and walking safer. Significant positive weight may be given to these aspects of the spine road extension.

Sustainable Drainage

- 8.2 The original application for Stortford Fields included a Strategic Flood Risk Assessment and a drainage strategy that makes use of swales, the surface watercourses on the site, underground storage and retention basins in the Farnham Bourne valley, with a final outfall to the Bourne itself. For the extension to the spine road, a temporary solution is required pending further development and drainage works in the Eastern Neighbourhood.

- 8.3 The drainage strategy for the temporary solution is based upon swales with filter drains beneath, a temporary attenuation pond storage discharging into the existing ditches, with the final discharge point being the existing ordinary watercourse that crosses Hoggate's Wood and makes its way to the Farnham Bourne.
- 8.4 The drainage strategy for the permanent solution is based upon two solutions: for the existing spine road swales with filter drains will be discharged by pipe into an underground attenuation tank below Hoggate's Park. This will be implemented for the wider drainage needs of the Western Neighbourhood. For the extension to the spine road to the north east, the permanent discharge will be through a surface water sewer into the strategic ponds in the Bourne Valley and then into Farnham Bourne.
- 8.5 The surface water calculations have been updated to ensure that the drainage strategy caters for all rainfall events up to and including 1 in 100 plus 40% for climate change with 2 litres per second discharge.
- 8.6 Although drainage has taken time to negotiate, neutral weight may now be afforded to drainage impact. The LLFA has recommended a number of conditions to ensure that the final construction is in accordance with the current proposals.

Public Right of Way (PROW)

- 8.7 Footpath 001 crosses Stortford Fields, linking Dane O'Coys Road with the green belt to the north. It passes next to the western side of Hoggate's Wood and crosses the A120 by-pass via a tunnel, which was also used to link a farm holding that used to straddle the by-pass. District and Neighbourhood Plan policies require that existing rights of way are protected and improved where possible in the context of planning applications because of their importance in creating walkable neighbourhoods and their importance in creating active recreation opportunities.

- 8.8 Following representations from the local branch of the Ramblers Association the layout of the proposed road has been improved such that the PROW crosses the spine road at a traffic calming build-out, leaving a carriageway of just 3.5m width to cross over to the tunnel under the by-pass. Vehicles will be warned by suitable traffic signs in approaching the crossing point. The Highway Authority and the Town Council have recommended that conditions are imposed to prevent unauthorised vehicles accessing the tunnel and to ensure that the footpath is not in any way blocked during construction. The impact of the proposed on the PROW is therefore regarded as neutral.

Design and Landscaping

- 8.9 Some of the underlying principles of the design of the Western Neighbourhood came from garden suburbs, with a strong emphasis on structural landscaping and open spaces. A strong feature is the boulevard trees and swales on the spine road, which have also been included on the proposed extension. The boulevard will be a unifying feature between the Western and Eastern Neighbourhoods as well as being attractive in itself.
- 8.10 The trees will help to soften the look of the road where it passes near Hoggate's Wood and the A120 bund, which itself will be well landscaped. Unfortunately, at the narrow point where the road passes between the narrow tip of Hoggate's Wood and the A120, there is a gap in the boulevard to facilitate the footpath crossing point referred to above and ensure that sightlines are good for oncoming traffic. However, for most of the length of the road extension there are very few crossovers or other features that might interfere with the rhythm of the boulevard tree planting and positive weight may be afforded the design of the road.

9.0 Planning Balance and Conclusion

- 9.1 The route of the spine road extension follows the line approved in the original planning application for Stortford Fields and is therefore well established. The design of the road has been subject to considerable improvement since this application was submitted last year, including detail regarding the drainage of the road. In respect of all the key issues identified above it has been concluded that the applicants have addressed them satisfactorily. The contribution of the proposed to sustainable travel is attributed positive weight.
- 9.2 A satisfactory sustainable drainage solution is proposed and the off-site drainage impact is regarded as neutral.
- 9.3 A satisfactory solution is proposed to the route of the PROW and the impact on the route is regarded as neutral.
- 9.4 Overall, the positive aspects of the proposed are such that the application is recommended for approval.

RECOMMENDATION

That planning permission be **GRANTED** subject to the conditions set out below.

Conditions

1. Three year time limit (1T121)
2. Approved Plans (2E101)
3. The development permitted by this planning permission shall be carried out in accordance with the principles of the approved surface water drainage assessment carried out by Brookbanks Consulting and the following mitigation measures detailed within the FRA:

1. Limiting the surface water runoff generated by the critical storm events so that it will not exceed the surface water runoff rate of 2 l/s during the 1 in 100 year event plus 40% of climate change event.
2. Providing storage for the temporary solution to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year including 40% for climate change event providing a total storage volume in the proposed detention basin.
3. Discharge of surface water for the site for the temporary solution from the highway network into the underground attenuation tank implemented for the wider drainage scheme for the residential development in the area and into the proposed existing ditches with the final discharge point being the existing ordinary watercourse.
4. Discharge of surface water from the site for the permanent solution from the highway network into the underground attenuation tank implemented for the wider drainage scheme for the residential development in the area and into Farnham Bourne through the proposed surface water sewer in the area and the strategic ponds system.
The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reasons:

1. To prevent flooding by ensuring the satisfactory disposal and storage of surface water from the site.
2. To reduce the risk of flooding to the proposed development and future occupants.
3. No development shall take place until a detailed surface water drainage scheme for the temporary discharge solution for the site based on the approved drainage strategy and sustainable drainage principles, has been submitted to and approved in

writing by the local planning authority. The drainage strategy should demonstrate the surface water runoff generated up to and including 1 in 100 year plus climate change critical storm will not exceed the runoff from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include:

1. Detailed modelling to demonstrate how the system operates during up to and including the 1 in 100 year critical duration storm event including plus 40% allowance for climate change. This should include drain down times for all storage features.
2. Final, detailed drainage plan including the location of all SuDS features, pipe runs, invert levels and discharge points.
3. Full, detailed engineering drawings of all SuDS features including cross and long sections, their size, volume, depth and any inlet and outlet features. This should include detailed drawings of the proposed headwall, discharge structures and any structures affecting the existing ordinary watercourse.
4. Detailed condition assessment of the proposed connection from the development site into the existing ordinary watercourse. This should as well include multiple cross sections of the ditch and full details of the proposed culverts.

Reason: To prevent the increased risk of flooding, both on and off site in accordance with Policies WAT1 and WAT5 of the East Herts District Plan 2018.

4. No development for the permanent discharge solution shall take place until a detailed surface water drainage scheme for the permanent discharge mechanism for the site based on the approved drainage strategy and sustainable drainage principles, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water runoff generated up to and including 1 in 100 year plus climate change critical storm will not exceed the runoff from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include:
 1. Final, detailed modelling for the propose drainage network to demonstrate how the system operates during up to and including the 1 in 100 year critical duration storm event including plus 40% allowance for climate change. This should include drain down times for all storage features.
 2. Final, detailed drainage plan including the location of all SuDS features, pipe runs, invert levels and discharge points.
 3. Full, detailed engineering drawings of all SuDS features including cross and long sections, their size, volume, depth and any inlet and outlet features. This should include detailed drawings of any proposed headwalls, discharge structures and any structures affecting the existing ordinary watercourse.

Reason: To prevent the increased risk of flooding, both on and off site in accordance with Policies WAT1 and WAT5 of the East Herts District Plan 2018.

5. Upon completion of the drainage works for each phase, in accordance with the 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 including the final drainage layout for each phase for site drainage network.

2. Maintenance and operational activities for the period or the lifetime of the development.
3. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.

Reason: To reduce the risk of flooding to the proposed development and future users in accordance with Policies WAT1 and WAT5 of the East Herts District Plan 2018.

6. No development shall commence until full details have been submitted to and approved in writing by the Local Planning Authority in relation to the proposed arrangements for future management and maintenance of the proposed street within the development. (The street shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established).

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

7. Prior to first use of the spine road from Hoggate's Park up to the school site, a scheme shall be submitted to and approved in writing by the Local Planning Authority in order to prevent unauthorised vehicular trips accessing the underpass underneath the A120 along the alignment of the Bishop's Stortford Footpath 1.

Reason: In order to protect highway safety and the amenity of other users of the public highway and Rights of Way.

8. At no time during the road construction work shall fencing or materials and waste be permitted to block or otherwise inconvenience users of the Public Right of Way Bishop's Stortford 001.

Reason: To ensure the PROW is kept clear for the convenience of pedestrians in accordance with Policy CFLR3 of the East Herts District Plan 2018.

Informatives

1. Any works proposed to be carried out that may affect the flow within an ordinary watercourse will require the prior written consent from the Hertfordshire County Council under Section 23 of the Land Drainage Act 1991. This includes any permanent and or temporary works regardless of any planning permission. For further information and how to obtain our Land Drainage Consent forms the applicant should refer to our website. The applicant can find there as well our most up to date Ordinary Watercourse Policies. <https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/water/ordinary-watercourses/>

Summary of Reasons for Decision

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