

## DEVELOPMENT MANAGEMENT COMMITTEE – 6 NOVEMBER 2019

<b>Application Number</b>	3/19/1689/FUL
<b>Proposal</b>	Erection of 8no. dwellings, new access and landscaping
<b>Location</b>	Land West of Hoddesdon Road, St Margaretsbury, Stanstead Abbots
<b>Parish</b>	Stanstead St. Margarets
<b>Ward</b>	Stanstead Abbots

<b>Date of Registration of Application</b>	20 August 2019
<b>Target Determination Date</b>	15 October 2019
<b>Reason for Committee Report</b>	Member referral
<b>Case Officer</b>	David Snell

### **RECOMMENDATION**

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

#### **1.0 Summary of Proposal and Main Issues**

- 1.1 The application proposes 8 dwellings include 6 x 3 bedroom and 2 x 4 bedroom and it is substantially the same proposal as a previous application ref: 3/18/1228/FUL.
- 1.2 The access for the site is proposed to be located at the northern end of the site and visibility splays are proposed to address highway safety matters.
- 1.3 Members will recall that the previous planning application for this proposal ref: 3/18/1228/FUL was reported to DM Committee at the meeting on 17<sup>th</sup> July 2019 with an Officer's recommendation for approval, subject to conditions. However, Members resolved to refuse planning permission for the following reasons:

1. The proposed development fails to demonstrate that it acceptable in highways safety terms as required by Policy TRA2 of the East Herts District Plan 2018.
  2. The proposed development fails to demonstrate that there is no harm to ecological interests contrary to Policies NE2 and NE3 of the East Herts District Plan 2018.
- 1.4 Application ref: 3/18/1228/FUL is the subject of an appeal which has not as yet been determined. The applicant has submitted this application, which includes additional information and mitigation measures to seek to address Members concerns and avoid progressing the appeal.
- 1.5 In summary the following additional information and amendments are submitted/proposed:
- The 2018 Ecology report originally submitted has been updated in the form of a 2019 report and now includes on-site survey information;
  - Additional biodiversity mitigation is proposed;
  - A pedestrian crossing point is proposed with tactile paving on both sides of Hoddesdon Road;
  - A swept path analysis for a 12.1m refuse vehicle has been submitted.

These matters will be expanded upon later in this report.

- 1.6 In considering the previous application Members have previously considered the planning issues relating to the proposal. The issues for further consideration therefore relate only to the issues about which Members were previously concerned and the reasons for refusal of the previous application. That is highway safety and ecological impact.

## **2.0 Site Description**

- 2.1 The site is vacant of buildings and is located on the western side of Hoddesdon Road, within the village of Stanstead Abbots and St. Margarets. There are a number of trees located on the site, some of which are proposed to be felled, but the majority being retained and pruned. The site lies within the Stanstead Abbots conservation area opposite several listed buildings and it is partly within an area of archaeological significance.
- 2.2 The southern boundary of the site finishes where the A414 bypass is located. Beyond this boundary is the Grade II Listed Rye Common Pumping Station and the Green Belt. The New River forms the western boundary, which is also in the Green Belt. To the north and also adjoining the New River is a terrace of 6 dwellings at 59 – 69 Hoddesdon Road, which were built in the mid-1970s. The eastern side of Hoddesdon Road comprises residential development, including listed buildings fronting Hoddesdon Road. These buildings are all Grade II Listed and include Garden House within the Clock House garden that is opposite the access to the proposed development, St Margarets Farm House at 102 Hoddesdon Road, The Clock House, the Former Granary at St Margarets Farm and the Long Barn at St Margarets Farm.
- 2.3 The eastern side of Hoddesdon Road has a footpath for the length of the development site.

## **3.0 Planning History**

- 3.1 There is no previous relevant planning history other than application ref: 3/18/1228/FUL detailed in paragraph 1.3 above.

## **4.0 Main Policy Issues**

- 4.1 These relate to the relevant policies in the East Herts District Plan National Planning Policy Framework (NPPF). There is no Neighbourhood Plan in final or draft form relevant to this site.

<b>Main Issue</b>	<b>DP policy</b>	<b>NPPF</b>
Principle	INT1, VILL1	Chapter 2 Chapter 11
Design, layout and scale	DES3, DES4, VILL1	Chapter 12
Historic environment	HA1, HA3, HA4	Chapter 16
Housing	HOU1, HOU2, HOU3	Chapter 5
Highways and parking provision	TRA1, TRA2, TRA3	Chapter 9
Biodiversity and Sustainability	DES2, DES3, NE3, CC1, CC2, EQ2, EQ4	Chapter 15
Flood risk and drainage	WAT1,WAT5	Chapter 14

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 the Highway Authority maintains their view that the proposal is acceptable in highway terms and do not wish to restrict planning permission, subject to conditions. The Authority confirms that there have been no recorded accidents in this part of Hoddesdon Road in the last 5 years. A higher standard of visibility has been provided further to their previous comments to address visibility around the bend and higher vehicle speeds on this section of Hoddesdon Road.
- 5.2 A crossing point is now proposed with tactile paving on both sides of Hoddesdon Road is now proposed. Further to tracking information for a 12.1m refuse vehicle supplied to the applicant the Authority are now satisfied that this vehicle can access and turn on the site. 'Keep clear' road markings and signage are proposed at the turning head to discourage parking obstruction.

- 5.3 Lead Local Flood Authority acknowledges the applicant has submitted a Flood Risk Assessment and Drainage Statement and the scheme utilises infiltration and surface water drainage by permeable paving with the potential to discharge into the public sewer after suitable attenuation. The drainage calculations have included a 40% increase for climate change. The drainage strategy demonstrates that the site is suitable for the development proposed regarding flooding and conditions are proposed.
- 5.4 Environment Agency advises that the proposed development site lies within flood zone 2 and the Flood Risk Assessment should be reviewed by the Local Planning Authority.
- 5.5 EHDC Conservation and Urban Design Advisor does not raise concern with the contemporary architectural approach to the scheme. Units 9 and 10 of the original scheme were requested to be removed and the vegetation near to the A414 requested to be retained as greenspace.
- 5.6 Historic England does not object to the principle of dwellings on the site but raises concerns about the massing, design and use of materials and landscaping within the conservation area. Historic England suggests the Council seek amendments as it considers the development is incongruous with the general character of the conservation area.
- 5.7 HCC Historic Environment Unit comments that the site is likely to have an impact on heritage assets of archaeological interest and accordingly requests condition.
- 5.8 Herts Ecology do not dispute the findings of the ecological assessment that the habitats on site are of relatively low ecological value, the removal of 22 sycamore trees and ruderal vegetation represents a local loss of ecology particularly for nesting birds and invertebrates. Whilst this may be correct in terms of the site's intrinsic value, the local impact on trees and shrubs will be high, given the proposals will necessitate the removal of the entire middle of the site, which currently provides a local habitat resource

adjacent to the New River. However, it is accepted that the planting of additional hedgerows and the provision of artificial nesting opportunities as detailed in the report represents adequate compensation. I am pleased to see the much greater level of detail that is included within the 2019 ecological appraisal relating to the ecological measures to ensure that the biodiversity impacts of the development are limited. The advice the mitigation measures 4.7, 4.8, 4.9, 4.10, 4.11, 4.12, 4.12, 4.17,4.18, 4.19, 4.26 , 4.28 within the 2019 ecological appraisal should be adopted in full and secured by condition. Measures relating to nesting birds 4.25 and 4.20 relating to lighting should be included in any consent as an Informative. Further details should be included of the number of trees to be used in the scrub planting and the species used to form the new native hedgerow which should comprise a mix of types. Simple guidance relating to the management of these resources relating to the timing frequency and height and shaping of the cutting of hedges and scrub, in order to maintain their biodiversity value, should be provided. These details should be detailed in a Landscape and Ecological Management Plan (LEMP) which shall be submitted for consideration to the LPA either prior to determination or by Condition. Herts Ecology considers a sum of money of £872 secured by a Section 106 Agreement should be made available to help deliver biodiversity benefits offsite elsewhere in Hertfordshire.

- 5.9 Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.
- 5.10 EHDC Environmental Health Advisor raises no objections and requests the conditions relating to noise attenuation for internal and external areas, construction hours and the discovery of any unsuspected contamination.
- 5.11 EHDC Waste Services are now satisfied that the site is accessible for a refuse freighter with a length of 12.1m as used by the Council and have no further comments.

5.12 Herts and Middlesex Wildlife Trust comment that the Ecological Report makes the case that the size of the development and habitats present accord with the description of 'small scale' projects with low or negligible biodiversity impact as described in Technical Note T2 of the Biodiversity Net Gain Good Practice Principles for Development 2019. Therefore the Trust agrees that the proposal does not require the submission of a biodiversity impact assessment calculation.

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

## **6.0 Parish Council Representations**

6.1 Stanstead St Margaret's Parish Council state that it is committed to protecting and improving their countryside setting, biodiversity and quality of ecological systems. The Parish Council strongly opposed to the proposal on grounds summarised as:

- The Wilderness to be critical to the natural environment. The woodland is irreplaceable and home to many vulnerable species. The Parish Council seeks to protect habitats. The proposal is harmful to biodiversity;
- Loss of woodland in a conservation area which is a haven for wildlife and a barrier to noise pollution from the bypass should not be permitted.
- Highway safety at the site entrance/egress and lack of pedestrian footpath on the western side of Hoddesdon Road;
- Sewer overload and lack of sewer capacity;
- Increased flood risk;
- Incongruous design;
- Harm to the significance of the conservation area.

## **7.0 Summary of Other Representations**

7.1 43 letters of objection were received from neighbours in response to the two rounds of consultation. The main objections are summarised below:

- Overdevelopment of a small site;
- Highway safety, access is located on a bend of a busy road with a bus route and is in a dangerous location;
- Vehicles travel faster than 30mph speed limit, which creates difficulties accessing onto the highway;
- Visibility splays do not meet the requested splay by the Highway Authority;
- Development contrary to Government Guidance, 'Manual for Streets' regarding traffic safety, including pedestrian safety;
- Transport Statement submitted does not adequately address health and safety and pedestrian safety of Hoddesdon Road
- Contrary to the key principles of the NPPF on sustainable transport;
- Inadequate pedestrian safety for crossing to footpath on the eastern side of the road. There have been numerous collisions on this part of Hoddesdon Road creating further pedestrian safety concerns;
- Inadequate parking provision;
- Inadequate refuse vehicle access;
- Flood risk and sewerage system capacity issues;
- Modern 3 storey dwellings are out of character;
- Loss of trees and adverse conservation area impact;
- Site should be protected as it is not allocated for housing;
- Loss of wildlife habitat;
- Loss of outlook;
- Train services are already at capacity;
- Lack of school places;
- Adverse impact during construction.

## **8.0 Consideration of Issues**

### Principle

- 8.1 The site lies within the village of Stanstead Abbots and St Margarets which is a Group 1 Village, where housing will be permitted subject to VILL1 and other policies of the plan. Therefore the principle of housing development is acceptable.



- 8.2 In accordance with Policy VILL1, developments are required to relate well to the village, be of an appropriate scale, be well designed and in keeping with character, not represent a loss of significant open space or important gap, not represent isolated ribbon development, not block views or vistas and not have a significant impact on amenity of neighbours.

Design, layout and scale

- 8.3 The proposed dwellings are three storeys and the land is slightly higher than the eastern side of Hoddesdon Road, which is visible in the cross section on Drawing No. 196 P02 Rev C. The applicant sought pre-application advice and one request was to ensure that the dwellings had the appearance of being 2 storeys with rooms in the roof as this is the character of some of the dwellings on The Granary, which are also in the conservation area. It is considered that the front elevation achieves this and picks up some of the other designs and materials used in The Granary development with timber panelling and bricks.
- 8.4 The layout of the development makes the most of the adjoining New River with the dwellings having the upper floors as habitable rooms allowing future occupants to enjoy the natural attributes of the site. The room size and dimensions are consistent with national standards. The layout is similar to other recent developments such as The Spinney granted planning permission under planning reference 3/17/0274/FUL for 6 dwellings.
- 8.5 It is unfortunate that some of the trees are required to be removed to ensure there is adequate visibility for pedestrians and drivers, however the trees on the site have not been cared for with many being covered in ivy so the proposed development provides the opportunity of providing much needed maintenance to ensure the long-term survival of the retained trees, which includes the three TPOs on the northeast of the site. Policy DES3 states that where losses of landscape features are unavoidable then compensatory planting and habitat creation will be sought. The maintenance of the

trees and of the entire site required by condition will ensure that there is a long-term management plan for the site.

- 8.6 It is considered that the proposed design has made the best possible use of the site with its constraints. This is consistent with Policy DES4 and the NPPF. The location of the car parking areas will enable electric vehicle charging points to be fitted adjacent to the proposed dwellings. The design characteristics of the development therefore carry positive weight.

### Historic Environment

- 8.7 The comments from Historic England are noted. However, contemporary design can sit comfortably within a conservation area and it is considered that the proposal respects the nearby historic buildings and conservation area as a whole by trying to retain as many trees on site as possible and locating the proposed dwellings away from the listed buildings, sited around 24 metres from the front of the proposed dwellings.
- 8.8 The Conservation and Urban Design Officer supports the design approach and considers that the proposed development preserves the conservation area with the retention of the mature trees at the front of the site and well-designed dwellings behind. The proposal is considered to be consistent with Policy HA4 and conditions are proposed to limit any potential permitted development on the site due to its sensitive location.
- 8.9 The permanent occupancy of the site will also ensure the landscaping is maintained whilst providing 8 additional dwellings in the village thus achieving sustainable development in accordance with Policy HA1 and other relevant policies.
- 8.10 A condition is recommended to provide for archaeological investigation of the site in accordance with Policy HA3.
- 8.11 The heritage impact of the development is considered to be neutral.

## Housing

- 8.12 There are no strategic housing site allocations in Stanstead Abbots and St Margarets. However, as part of the housing growth strategy of the District Plan the settlement is allocated a windfall allocation of 10% equating to 94 new homes. The contribution of 8 dwellings towards strategic housing land supply therefore carries positive weight.
- 8.13 Paragraph 63 of the NPPF provides that affordable housing should not be sought for residential developments that are not major developments (less than 10 dwellings) other than in designated rural areas.
- 8.14 The dwellings have been designed so that there are no habitable rooms on the ground floor as the upper floors would provide better internal amenity for future residents regarding light and outlook.
- 8.15 The mix of 6 x 3 bedroom and 2 x 4 bedroom houses is considered to be satisfactory given the site constraints. The layout has provided good internal amenity and suitable open space areas have been retained on site for biodiversity and amenity reasons.
- 8.16 The dwellings will provide good internal amenity with natural ventilation and insulation to mitigate impacts of climate change. A noise and air quality assessment has been submitted with the application due to the location of the A414. The site is not within or close to an Air Quality Management Area and the site will not generate a significant amount of traffic to impact on air quality. The air quality assessment indicates that the future occupants of the dwellings would not be exposed to significant concentrations of poor air quality.
- 8.17 A condition is proposed to ensuring there are no significant noise impacts both internally and externally.

- 8.18 In order to address climate change adaptation, energy demand and the efficient use of water resources a Energy report has been submitted. This report is considered to be robust and it demonstrates that construction fabric and water saving measures satisfy the requirement of Policies CC1, CC2 and WAT4. A condition is recommended to secure that the development is implemented in accordance with the report.
- 8.19 The provision of electric vehicle charging point to the proposed dwellings is secured by a recommended condition.

#### Highways and Parking Provision

- 8.20 The site is less than ½ mile (approximately 8 minute walk) from St Margaret's Railway Station therefore travel by rail for some journeys, mostly commuting, is a reasonable prospect. Other services and facilities are within walking distance and therefore in accordance with Policy TRA1 the location of the site will enable sustainable journeys.
- 8.21 The parking requirement is 2.5 spaces for three bedroom and 3 spaces for 4 bedroom units, a total requirement of 21spaces. The site lies within accessibility zone 4 reducing the requirement to 16 spaces. The proposed parking provision is 16 spaces in compliance with the adopted parking standard. Each dwelling is also provided with adequate internal or external space for cycle storage.
- 8.22 Many of the objectors raised concern about the highway safety matters as the proposed access point is located on a bend in Hoddesdon Road and many drivers are considered to exceed the speed limit.
- 8.23 The Highway Authority advise that the development is not considered to have a material impact in terms of trip generation on the local highway network.

- 8.24 The Authority maintain their view expressed in consideration of the previous application that the proposal is acceptable in highway terms and do not wish to restrict planning permission, subject to conditions.
- 8.25 A higher standard of visibility has been provided further to their previous comments to address visibility around the bend and higher vehicle speeds on this section of Hoddesdon Road.
- 8.26 In considering the previous application Members heard representations from residents that there had been a recent vehicle accident on this part of Hoddesdon Road. Officers note this representation. However, the Highway Authority confirms that there have been no recorded accidents in this part of Hoddesdon Road in the last 5 years. Members are advised that accidents that do not involve injury are not recorded and that therefore many isolated minor road traffic accidents are not recorded. Members will appreciate that in order to demonstrate that the proposal would have any adverse highway safety implications, contrary to the advice of the Highway Authority, it would only be recorded information that could be relied upon. In the absence of an accident record in this locality it would not be possible to demonstrate that this is the case. Members are advised that in any location an isolated road traffic incident would not demonstrate a pattern of conditions that compromise highway safety.
- 8.27 A crossing point is now proposed with tactile paving on both sides of Hoddesdon Road is now proposed.
- 8.28 Further to tracking information for a 12.1m refuse vehicle supplied to the applicant the Authority are now satisfied that this vehicle can access and turn on the site. 'Keep clear' road markings and signage are proposed at the turning head to discourage parking obstruction.
- 8.29 The highway and highway safety impact of the development is regarded as neutral.

## Biodiversity

- 8.30 The 2018 Ecology report submitted with the previous application has been updated and the 2019 report now includes on-site survey information. The 2019 report concludes that the site is of low ecological value, particularly that part of the site that is to be developed which is described as scattered scrub and tall ruderal vegetation, with very low plant species diversity, common and widespread throughout the UK.
- 8.31 It is acknowledged that the proposal has generated significant local objection in terms of tree loss and ecological impact. However, site is not designated open space such as the land to the west of New River, known as The Wilderness. The proposal is similar to other developments that have been permitted on the strip of land between the New River and Hoddesdon Road, such as that at the Spinney (LPA reference: 3/17/0274/FUL).
- 8.32 In terms of ecological mitigation the removal of trees and scrub will be undertaken between September and February (inclusive) to avoid the nesting season. Where clearance is programmed during the breeding season, prior to the works, a survey will be undertaken. If active nests are discovered, works will be delayed within an exclusion zone until chicks have fledged.
- 8.33 As proposed in the previous application to mitigate for loss of nesting habitat, ten bird boxes will be provided on retained trees. Tree and scrub planting will help to mitigate for any loss in foraging and nesting habitat for birds.
- 8.34 The following mitigation measures are proposed which are additional to the previous refused application ref: 3/18/1228/FUL:
- Three sparrow terrace boxes will be incorporated into the external walls of two new buildings, thereby increasing nesting opportunities for birds at the site.

- Three swift nest boxes will be incorporated into the external walls of two new buildings, thereby increasing nesting opportunities for birds at the site.
- Three bird nest boxes (Schwegler 1MR or any Vivara pro Woodstone nest boxes or similar) will be incorporated into the external walls of new buildings, thereby increasing the number and diversity of nesting opportunities for birds within the site.
- Three invertebrate boxes will be provided within the Site.
- Two HH7 Hogilo Hedgehog boxes will be provided within the retained woodland within the site. The boxes should be located within cover, close to vegetation piles and out of the prevailing wind;
- Four new buildings will have bat boxes installed within their exterior walls.; and
- The removal of the fly tipping from the semi-natural broadleaved woodland.

8.35 Herts Ecology do not dispute the findings of the ecological assessment that the habitats on site are of relatively low ecological value, the removal of 22 sycamore trees and ruderal vegetation represents a local loss of ecology particularly for nesting birds and invertebrates. Whilst this may be correct in terms of the site's intrinsic value, the local impact on trees and shrubs will be high, given the proposals will necessitate the removal of the entire middle of the site, which currently provides a local habitat resource adjacent to the New River. However, it is accepted that the planting of additional hedgerows and the provision of artificial nesting opportunities as detailed in the report represents adequate compensation.

8.36 Conditions are recommended by Herts Ecology to ensure the site is developed with minimal impacts on biodiversity.

8.37 It is acknowledged that there will be some loss of trees but overall the negative impact on biodiversity is limited and off-set by the mitigation proposals.

### Flood Risk and sustainable drainage

- 8.38 The Flood Risk Assessment submitted with the application addresses on-site drainage and potential flooding and the proposed dwellings are not proposed to be built on the area of the site that is within the flood zone 2.
- 8.39 Lead Local Flood Authority acknowledges the applicant has submitted a Flood Risk Assessment and Drainage Statement and the scheme utilises infiltration and surface water drainage by permeable paving with the potential to discharge into the public sewer after suitable attenuation. The drainage calculations have included a 40% increase for climate change. The drainage strategy demonstrates that the site is suitable for the development proposed regarding flooding and conditions are proposed.
- 8.40 Subject to these conditions the proposal would not negatively impact on flood risk.

### Refuse vehicle access

- 8.41 It is acknowledged that Waste Service advised in consultation on the previous application that the site should be accessible for a full-sized freighter with a length of 12.1m. Vehicle tracking information for the site has now been submitted for the specific 12.1m EHDC refuse vehicle (as supplied to the applicant by the Highway Authority). This shows that the site can be satisfactorily accessed by the vehicle, including turning. 'KEEP CLEAR' road markings and signage are proposed at the turning head.

### Planning obligation

- 8.42 Herts Ecology have requested a financial planning obligation of £872.00 to deliver biodiversity benefits off-site in the form of the planting of a small woodland elsewhere in Hertfordshire.
- 8.43 Members are advised that it is considered that this obligation would satisfy the Section 106 tests of reasonableness or the current



Community Infrastructure Levy Regulations (CIL) for the following reasons:

- The request does not relate to a specific project and does not fairly and reasonably relate to the proposed development;
- The proposal is for a 'small scale' development with low or negligible biodiversity impact as described in Technical Note T2 of the Biodiversity Net Gain Good Practice Principles for Development 2019. Therefore the does not require the submission of a biodiversity impact assessment calculation;
- The cost of preparing the Agreement would far exceed the value of the contribution;
- The delay in delivering the development resulting from the preparation of an Agreement would not be reasonable in the circumstances of the proposal.

## **9.0 Conclusion – the planning balance**

- 9.1 The proposal will provided 8 family homes within the village boundary. The development has been designed with the site constraints and will provide a good standard of living accommodation. The delivery of quality housing is regarded as a positive benefit of the proposal.
- 9.2 The Highway Authority are satisfied that the proposal provides for pedestrian and vehicular safety and parking provision accords with the adopted standard. Subject to conditions, the highway impact of the development is regarded as neutral.
- 9.3 Part of the site lies in Flood Zone 2 but the proposed dwellings are not located in this area and the Flood Risk Assessment has been accepted by the Lead Local Flood Authority. The flood risks associated with the proposal are regarded as neutral.
- 9.4 The proposal preserves the character of the conservation area and there would be no adverse impact on the setting of listed buildings. The heritage impacts of the proposal are regarded as neutral.

- 9.5 The loss of trees from the site is regrettable but this impact is not considered significant given the number that are to be retained and managed.
- 9.6 It is considered that subject to the migration measures proposed recommended conditions will ensure the proposal in the long-term will have minimal impact on biodiversity.
- 9.7 The comments from Historic England are noted. However, contemporary design can sit comfortably within a conservation area and it is considered that the proposal respects the nearby historic buildings and conservation area as a whole. The proposal is considered to be well-designed and consistent with Policy HA4 and conditions are proposed to limit any potential permitted development on the site due to its sensitive location.
- 9.8 The permanent occupancy of the site will also ensure the landscaping is maintained whilst providing 8 additional dwellings in the village thus achieving sustainable development in accordance with Policy HA1 and other relevant policies.
- 9.9 A condition is recommended to provide for archaeological investigation of the site in accordance with Policy HA3.
- 9.10 The heritage impact of the development is considered to be neutral.
- 9.11 Overall, the proposal is considered to meet relevant policy requirements and it is regarded as a sustainable form of development. The application is therefore recommended for approval, subject to conditions.

## **RECOMMENDATION**

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

## **Conditions**

1. Three year time limit (1T12)
2. Approved plans (2E10)
3. No development shall take place within the proposed development site until the applicant, or their agents, or their 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 to the planning authority and approved in writing. This condition will only be considered to be discharged when the planning authority has received and approved an archaeological report of all the required archaeological works, and if appropriate, a commitment to publication has been made.

Reason: To ensure any archaeological significance is recorded.

4. No development shall commence (including demolition, ground works, site clearance etc.), but excluding works to undertake site investigations, until a landscaping and mitigation plan that adopts the measures described the Ecological Appraisal (LUC 20189 has been submitted to and approved in writing by the local planning authority. This shall include, but not necessarily be limited to, the:
  - a) Purpose and biodiversity objectives for the proposed works;
  - b) Detailed design(s) and/or working methods necessary to achieve these objectives (including, the provenance of native trees etc);
  - c) Extent and location of proposed works shown on appropriate scale plans;
  - d) Timetable for implementation;
  - e) Persons responsible for implementing the works;
  - f) Details of initial aftercare and long-term maintenance;These works shall be carried out strictly in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: To avoid no net loss of biodiversity.

5. Prior to commencement of development, a construction vehicle access will be constructed to base course for the first 12m from the back of carriageway in accordance with a plan that has first been submitted to and approved by the Local Planning Authority.

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

6. Prior to the commencement of the development hereby permitted, a visibility splay measuring 2.4m x 43 metres shall be provided to north of the access and 2.4m x 57m to the south of the access (as illustrated on drawing number MBSK181023-03) where it meets the highway and such splays shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

Reason: In the interests of highway safety.

7. Construction of the development hereby approved shall not commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the local planning authority in consultation with the highway authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Traffic Management Plan shall include details of:
  - a) Construction vehicle numbers, type, routing;
  - b) Traffic management requirements;
  - c) Construction and storage compounds (including areas designated for car parking);
  - d) Siting and details of wheel washing facilities;
  - e) Cleaning of site entrances, site tracks and the adjacent public highway;
  - f) Timing of construction activities to avoid school pick up/drop off times;

- g) Provision of sufficient on-site parking prior to commencement of construction activities;
- h) Post construction restoration/reinstatement of the working areas.

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

8. No development shall take place until a detailed surface water drainage scheme for the site in accordance with the FRA and Drainage Statement prepared by Canham Consulting ref.209679 P1 dated 2<sup>nd</sup> May 2018 has been submitted to and approved in writing by the local planning authority.

The drainage strategy must demonstrate the viability of the scheme and confirm which option will be implemented. Preference should be given to shallow infiltration and if that is not achievable evidence to not follow the hierarchy of destinations for the discharge of surface water runoff must be provided.

The drainage strategy should subsequently demonstrate how the infiltration based scheme will be able to cater for the surface water runoff generated by the new development. Alternatively, if infiltration based strategy is demonstrated to not be feasible, details of an alternative feasible drainage strategy based upon attenuation and discharge into watercourse or surface water sewer should be demonstrated achievable.

The scheme shall subsequently be implemented in accordance with the approved details. The scheme shall as a minimum include:

- detailed drainage design supported by suitable calculations for all rainfall return periods up to and including the 1 in 100 year + climate change event for the entire site area not just impermeable areas
- evidence of ground conditions and permeability including BRE Digest infiltration tests undertaken on the proposed location of the infiltration features

- if infiltration is not feasible an attenuation based drainage strategy including any SuDS feature required, final required volume and discharge rate, the exact location and connectivity to the public sewer or to the ordinary watercourse with evidence that the receiving system is suitable.
- Engineering details of all the SuDS feature should be provided and in line with The SuDS Manual (CIRIA C-753)

Reason: To ensure the feasibility and the suitability of the drainage scheme.

9. Prior to the completion of the foundations, samples of external materials of construction shall be submitted to and approved in writing by the Local Planning Authority and the development shall thereafter be implemented in accordance with the approved materials.

Reason: In the interest of the appearance of the development and in accordance with Policies ENV4 and DES4 of the East Herts District Plan.

10. Prior to completion of the foundations, a scheme for protecting the proposed dwellings and external amenity space from noise from road traffic has been submitted to and approved in writing by the local planning authority.

None of the dwellings shall be occupied until such a scheme has been implemented in accordance with the approved details, and shown to be effective, and it shall be retained in accordance with those details thereafter.

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

11. Before occupation of the development, the new access serving the development shall be completed in accordance with the drawing number MBSK181023-03 and constructed to the specification of the Highway Authority and Local Planning Authority's satisfaction.

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

12. Before the development hereby approved is first occupied, all on site vehicular areas, including (but not limited to) internal access roads, forecourts, garages, carports and external parking spaces, shall be accessible, surfaced, marked out and fully completed in accordance with the approved in principle plan.

Reason: So as to ensure satisfactory parking of vehicles outside highway limits and to minimise danger, obstruction, and inconvenience to users of the highway and of the premises.

13. The development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment and Drainage Statement prepared by Canham Consulting ref.209679 P1 dated 2<sup>nd</sup> May 2018 and the following mitigation measures as detailed within the above mentioned report.

The scheme must provide either a permeable paving (infiltration scheme option - dwg 209679-SK004-P1), a combination of permeable paving, attenuation tank with flow control valve restricting the final discharge rate to the combined public sewer (TW sewer scheme option – dwg 209679-SK005-P1) or to the ordinary watercourse along 'The Granary' to the east of the site.

The required attenuation volume will be designed to accommodate the volume of water generated by the development up to the 1 in 100 year storm event including a 40 % allowance for climate change.

The mitigation measures shall be fully implemented prior to occupation in accordance with the timing/phasing arrangements

embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

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

14. In connection with all site demolition, site preparation and construction works, no plant or machinery shall be operated on the premises before 0730hrs on Monday to Saturday, nor after 1830hrs on weekdays and 1300hrs on Saturdays, nor at any time on Sundays or bank holidays.

Reason: To safeguard the amenity of residents of nearby properties, in accordance with policies EQ2 of the East Herts District Plan.

15. Upon completion of the development a final management and maintenance plan shall be supported by a full set of as-built drawings, a post-construction location plan of the SuDS components cross-referenced with a maintenance diagram to secure the operation of the scheme throughout its lifetime.

Reason: To ensure the SuDS components are fully recorded.

16. The design, construction and fitting out of the dwellings hereby approved shall be implemented in accordance with the Energy and sustainability Statement prepared by Jess James JAWS Sustainability Version 1 14<sup>th</sup> August 2019

Reason: To adapt to climate change, reduce carbon emissions and efficiently use water resources in accordance with Policies DES4, CC2 and WAT4 of the East Herts District Plan 2018.

17. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order, 1995, or any amending Order, the enlargement, improvement or other alteration of any dwellinghouse as described in Schedule 2, Part 1, Class A of the Order shall not be undertaken without the prior written permission of the Local Planning Authority.



Reason: To ensure the Local Planning Authority retains control over any future development as specified in the condition in the interests of amenity, biodiversity heritage having regard to Policies DES4, HA1 and NE3 of the East Herts District Plan 2018.

18. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development Order), 1995, or any amending Order the erection or construction of gates, fences, walls or other means of enclosure as described in Schedule 2, Part 2, Class A of the Order shall not be undertaken without the prior written permission of the Local Planning Authority.

Reason: To ensure the Local Planning Authority retains control over any future development as specified in the condition in the interests of biodiversity having regard to Policy NE3 of the East Herts District Plan 2018.

19. Prior to first occupation of the development hereby approved, an electric vehicle charging point for each dwelling shall be provided and retained thereafter.

Reason: To ensure sustainable design in accordance with Policy DES4 and improved air quality in accordance with Policy EQ4 of the East Herts District Plan 2018.

### **Informatives**

1. Other legislation (OL01)
2. Street naming and numbering (19SN)
3. Further general advice on waste provision for developments is available at <http://www.north-herts.gov.uk/home/planning/waste-and-recycling-provision> The bin requirements stated there are specific to North Herts, but the rest of the advice is general.

4. The applicant is advised that any unsuspected contamination that becomes evident during the development of the site should be brought to the attention of the Local Planning Authority and appropriate mitigation measures agreed.
5. Highways works (05FC02)

### **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.

**KEY DATA****Residential Development**

Residential density	dwellings/Ha	
	Bed spaces	Number of units
Number of existing units demolished		
Number of new housing units	1	
	2	
	3	
Number of new house units	1	
	2	
	3	6
	4+	2
Total		8

**Residential Vehicle Parking Provision**

Parking Zone		
Residential unit size (bed spaces)	Spaces per unit	Spaces required
1	1.5	
2	2	
3	2.5	15
4	3	6
Total required		21
Accessibility reduction	75- 100%	
Resulting requirement		16
Proposed provision		16