

DEVELOPMENT MANAGEMENT COMMITTEE – 9 SEPTEMBER 2020

Application Number	3/20/0245/FUL
Proposal	Erection of 61 dwellings (including 24 affordable dwellings) accessed from Manor Links, together with associated highway works, landscaping, ecological enhancement works, utilities, drainage infrastructure and parking.
Location	Land East of Manor Links (BISH9), Bishop's Stortford Hertfordshire
Parish	Bishop's Stortford Town Council
Ward	Bishop's Stortford All Saints

Date of Registration of Application	27 February 2020
Target Determination Date	28 May 2020
Reason for Committee Report	Major Planning Application
Case Officer	Rachael Collard

RECOMMENDATION

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

(B) delegated authority be granted to the Head of Planning and Building Control to finalise the detail of the legal agreement and conditions.

1.0 Summary of Proposal and Main Issues

- 1.1 The site forms part of the development strategy in the East Herts District Plan 2018 as detailed in Policies DPS1, DPS2 and DPS3, and Hertford Policies BISH1 and BISH9.
- 1.2 The site subject of this report comprises land to the east of Manor Links a strategic allocation within the District Plan allocated for a residential development of around 50 homes.

- 1.3 This is a detailed planning application that proposes 61 residential dwellings accessed from Manor Links with associated highway works, landscaping, ecological enhancement works, utilities, drainage and infrastructure.
- 1.4 The application submission follows from the decision of the Council on 29th January 2020 to endorse the Masterplan Framework as a material consideration for development management purposes.
- 1.5 The main issues for consideration are:
- Principle of Development;
 - Compatibility with the Masterplan Framework;
 - Design and layout;
 - Climate Change;
 - Housing mix, density and affordable housing provision;
 - Highway impact mitigation and parking provision;
 - Flood risk management;
 - Infrastructure delivery.
- 1.6 Members will need to consider the overall planning balance and whether the development will result in a sustainable form of development having regard to the above considerations.

2.0 Site Description

- 2.1 The application site comprises of 2.14 hectares of undeveloped land which lies on the eastern side of Bishop Stortford. The land itself is relatively flat with a slight fall from north to south and features scrubland and trees. Two points of access exist from Manor Links, between the existing residential dwellings.
- 2.2 Prior to the submission of the application clearance of shrubs and trees was undertaken.

- 2.3 The site is bound to the north and west by residential properties located on Cecil Close and Manor Links, the properties located on Manor Links are bungalows with two storey houses also seen adjacent on the south west corner of Manor Links and along the northern boundary of Cecil Close. To the south and east, the site is bounded by Bishop's Stortford golf club. It should be noted that the site lies on the edge of the settlement of Bishop's Stortford with the golf course located within the Green Belt.
- 2.4 During the course of the application amended plans have been submitted with neighbours and consultees re-consulted on the amendments.

3.0 Planning History

- 3.1 There is no relevant planning history for the site, however it should be noted that an application has been submitted at Bishop Stortford Golf Club, which is of relevance.

3/20/0747/FUL -Upgraded members' practice facilities, including removal of existing 9 practice bays, construction of a purpose-built single storey building containing 10 practice bays and pro's teaching studio, proposed ball catch netting 8 metres in height along eastern boundary and 10 metres in height along the southern boundary, proposed fencing with trellis 2.4 metres in height along the western boundary, proposed 2 metre high earth bund adjacent to the west of the proposed building, new practice green area and soft landscaping including 0.63 hectare planted ecology area – Pending consideration.

4.0 Main Policy Issues

- 4.1 These relate to the relevant policies in the East Herts District Plan and the National Planning Policy Framework 2018 (NPPF) and the adopted Bishop's Stortford All Saints, Central, South and part of Thorley Neighbourhood Plan 2017-2032.

Key Issue	District Plan	Neighbourhood Plan	NPPF
Principle of development	INT1, DPS1, DPS2, DPS3, DPS4, BISH1, BISH9, DEL1, DEL2, CC1, CC2	HDP1, BSEM2	Chapter 5
Delivery of Housing	BISH9, HOU1, HOU2, HOU3, HOU7.	HDP1	Chapter 12
Design Quality	BISH9, DES1, DES2, DES3, DES4, DES5, DES6	HDP2, HDP3, HDP4, HDP9, GIP4	Section 12
Highway, parking and transport impacts	TRA1, TRA2, TRA3	TP1, TP2, TP3, TP4, TP7, TP8, TP10, GY5	Section 9
Flood risk, drainage and Climate Change	WAT1, WAT2, WAT3, WAT4, WAT5, CC1, CC2	GIP7	Section 14
Viability and delivery of Infrastructure	DEL1, DEL2	CI, GIP6, HP1, SLCP1, SLCP3	Sections 2 and 4

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

5.0 Summary of Consultee Responses

- 5.1 Consultees as set out below have provided feedback received in relation to the proposals as follows.
- 5.2 Hertfordshire County Council Highways – No objections subject to conditions.
- 5.3 Hertfordshire Constabulary – Supports the application.

- 5.4 EHDC Housing – The applicant is proposing to deliver 24 affordable homes which is policy compliant and the mix of affordable property types is acceptable.
- 5.5 EHDC Conservation and Urban Design– No objections
- 5.6 Thames Water – With regards to surface water, it is advised that the developer follows the sequential approach to the disposal of surface water no objection is raised. No objection is raised in relation to foul water sewerage network capacity.
- 5.7 Lead Local Flood Authority – No objections subject to conditions.
- 5.8 Natural England – No objection subject to appropriate mitigation.
- 5.9 National Trust - The impacts of the development on Hatfield Forest should be addressed. New housing development within the ZOI will contribute further (both individually and cumulatively) towards recreational pressure on the Forest. Request on-site and off-site mitigation.
- 5.10 EHDC Environmental Health – No objections subject to conditions
- 5.11 EHDC Waste Services – No objection subject to conditions.
- 5.12 HCC Obligations – No objections subject to contributions.
- 5.13 EHDC Landscape Advisor – The Landscape Officer comments that the retention of trees a positive aspect of the development. However, the proposal is an over development of the site in landscape terms. A reduction from 61 to 50 dwellings as recommended in Policy BISH9 of the Development Plan should be able to resolve this without unavoidably making major alterations to the general arrangement as currently proposed.
- 5.14 Hertfordshire Ecology – No objections subject to conditions.

- 5.15 Herts and Middlesex Wildlife Trust – Objects to the application.
- 5.16 East and North Hertfordshire CCG – No objection subject to financial contributions
- 5.17 HCC Minerals and Waste – Would like to encourage the opportunistic use of any deposits within the developments, should they be found when creating the foundations/footings. Request a condition for a SWMP.
- 5.18 CPRE - Policy DPS3 envisages around 50 dwellings on this site. The 61 dwellings proposed is 22% higher than that envisaged. This is not insignificant and is demonstrated by a series of pinch points in the submitted layout.
- 5.19 HCC Archaeology – The proposed development is likely to have an impact on heritage assets with archaeological interest. I recommend that provisions for archaeological field evaluation/trenching, mitigation measures and analysis of the results of the archaeological work. A condition is recommended.
- 5.20 Bishop's Stortford Civic Federation – Generally we believe the proposals have been framed so as to be sympathetic to the existing development area and pleased to see bungalows which are a form of residential development in short supply in Bishop's Stortford. Concerned by the number of dwellings proposed which represent a 22% increase on the allocation for the site included in the recently adopted District Plan. East Herts Council has more than a 5 year land supply for housing most of it being provided in Bishop's Stortford. We estimate that planning permissions granted and outstanding would lead to an extra 650 dwellings in Bishop's Stortford.

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

6.0 Town Council Representations

6.1 Bishop's Stortford Town Council –Objects to this application due to concerns of it being on a floodplain. Furthermore there were traffic concerns on an already busy road that is on the Bishop's Stortford Air Quality corridor to Hockerill. The application has had numerous concerns from residents and councillors regarding the 20% increase in the number of houses being developed from 50 to 61. This contravenes BISH9 of the District Plan.

7.0 Summary of Other Representations

7.1 The application has been advertised by neighbour consultation to local residents and businesses, by press and site notices. 43 responses have been received objecting to the proposal on grounds summarised as:

- Do not agree that more houses should be built within this area.
- Is there provision of visitor parking spaces? If not there should be otherwise the only option will be on Manor Links. How will properties (1 bedroom flats) with 2 car owners be accommodated in the new development?
- This proposal will have a detrimental impact to my family.
- The house is in the cul de sac which makes it peaceful and private but will be ruined by the development and will have total loss of privacy.
- It will have a negative impact on house prices.
- The amount of traffic generated by the development will be unbearable.
- Good to see new bungalows being constructed in Bishop Stortford, ideal for those looking to downsize.
- The development exceeds by some 20% the number of houses anticipated in 'East of Manor Links' after the Inspector issued her Final Report on the East Herts District Plan Consultation.

- The total was 'around 50', 48-52 houses would meet that stipulation whereas 61 is clearly 'around 60'.
- The effect on drainage, or the present lack of it, across the proposed site. We live at the bottom of a slope and after recent rains we have never in 17 years had such sodden, squelching gardens.
- I assume East Herts will not adopt the inner shared paved areas that are proposed but what is intended for the two access roads.
- More residential roads without permits will encourage airport travellers to park as currently occurs on nearby roads.
- Plant and wildlife will be impacted. We have sightings of newts, slow worms, deer, squirrels, badgers, foxes and a variety of birds. The plans will destroy habitat for insects and smaller animals such as squirrels and birds and larger animals. I object to any development that removes mature trees.
- The current plan, positions several new properties very close to our existing back garden boundary. This will impact our privacy and light. The dwellings are not in keeping with the current type erected in Manor Links thus potentially changing the aesthetic value of existing properties.
- Too many dwellings will have 2 cars per dwelling and will negatively impact traffic flow and increase air pollution to the access roads.
- Increasing the number of roads will increase traffic, potentially endangering the children.
- More houses will cause a greater burden on schools, medical centres and train links to London and Cambridge.
- The site is adjacent to the golf course driving range, there is no evidence that the golf course is formally required or has even agreed to relocate the driving range. If the driving range is not moved I assume there will be a requirement to erect a very tall and dense protective mesh barrier.
- The proposed tenure plan shows affordable properties are concentrated at the two extreme ends of the development site. This violates the EHDC planning requirements which is for tenure blind and pepper potted.

- Policy SP6 of the East Herts Air Quality Strategy. Irrespective of any traffic modelling, a greater number of dwellings in a road that is adjacent to one of the main thoroughfares that leads into the Hockerill Crossroads (an AQMA area) means the potential for a greater number of polluting vehicles to be present in that area.
- Any mitigation measures to encourage modal shift in this development are compromised by the problematic proposed cycle route through a private road.
- Failure to adopt the new road in this development. We need to have the full capacity to decide on what happens with all roads (or as many as possible) in the District so that we can control methods of making the modal shift we all need.
- Development is too dense. The development is too close to existing properties causing invasion of privacy.
- Flats in an area where only houses and bungalows are, is out of place.
- The roundabout at Dunmow Road is dangerous and with increased traffic can only get worse.
- Builders have already destroyed the habitat of endangered species.
- Clearance of trees has now caused noise from the motorway being more audible. The development should incorporate landscaping particularly trees and hedges between houses and the existing bungalows.
- Concerns that a suggested cycle track to be put through Norris Close.
- Policies omitted from the supporting planning statement.
- Layout not suitable for refuse collection, emergency and delivery vehicle access;
- Insufficient car parking available for dwellings.
- Unacceptable overlooking of Manor Links dwellings.
- Proposal does not meet policy HOU3 which requires tenure blind and pepper potted affordable housing across the site. Proposal is concentrate in two ends of the site.

- Object to East Herts/Highways not adopting the inlet roads. Lack of bollards along inlet road. Lack of boundary fencing and lack of brick wall along the inlet road.
- Waterlogging of land.
- The biodiversity reports commissioned does not indicate existence of newts and grass snakes/slow worms, which have been seen. The clearance of the land has destroyed habitats for all species.
- Concerns of proximity of new properties to rear boundaries meaning that light and privacy will be reduced.
- Concern of proximity of new properties to the golf course driving range. I believe the noise will not be acceptable for new residents.
- Lack of visitor parking which will result in parking on Manor Links.
- Newts have been found on the site and should be investigated before planning permission is given.
- Object to location of bin store to rear boundary.
- Inadequate play space on site.
- Proximity of dwellings to rear boundary with light and privacy reduced.
- Proximity of houses to golf course and the numbers of stray golf balls on the land.
- Stonebond has not considered the existing low frequency noise issue that emanates from M11 service station lorry park. This may have repercussions for future property purchasers if they are not made aware.

7.2 9 comments have been received in support of the application:

- The development promotes bungalows which helps the elderly community. The area is well connected to the town centre.

8.0 Consideration of Relevant Issues

Principle of Development

- 8.1 The application site forms a strategic allocated site under policies BISH1 and BISH9 of the District Plan and the development strategy for housing growth in the District as detailed in policies DPS1, DPS2, DPS3. Policy BISH9 sets out that this allocation (BISH9) is allocated for around 50 homes between 2017 and 2022.
- 8.2 Given the above details of the submission and the designation of the site for this form of development within the District Plan, it is considered that the principle of residential development is acceptable; however this is subject to the discussions that form part of this Officer report. Bringing the site forward for development has the ability to deliver a number of new homes, both for the market and subsidised. The NPPF continues to place a requirement on the Council to identify sufficient land in this way.

The Masterplan Framework

- 8.3 Policy DES1 of the District Plan requires that all significant proposals will be required to prepare a Masterplan setting out the quantum and distribution of land uses, sustainable high quality design and layout principles, necessary infrastructure, the relationship between the site and adjacent land uses, landscape and other relevant matters, The Masterplan has been prepared collaboratively with the Council, town and parish councils and other relevant stakeholders.
- 8.4 The Masterplan Framework was developed in consultation with Officers through pre-application discussions. A Steering Group was set up and comprised Officers, Local Ward Members and representatives from the Town Council and other relevant stakeholders.
- 8.5 The Masterplan Framework sets out key masterplanning principles that the site as a whole will meet and was endorsed by full council on 29th January 2020 as a material consideration for development management purposes. The application proposals are considered

to be in accordance with the development design concept outlined in the Masterplan Framework.

Housing

- 8.6 Policy BISH9 requires the development to address affordable housing as set out in policy HOU3. The proposals include the provision of 40% affordable housing in accordance with policy.
- 8.7 The proposal seeks to provide 24 affordable housing units comprising a mix of 10 x one bedroom flats, 2 x two bed bungalows, 5 x two bedroom houses, 7 x 3 bedroom houses. The Council's Housing Officer does not object to the application and considers the tenure mix to be acceptable, as the applicant is proposing 14 units for affordable rent of which 2 of those units would be wheelchair accessible bungalows and 10 for shared ownership. In accordance with Policy HOU3 and the Affordable Housing SPD, the Section 106 will secure the affordable housing. In addition it is considered that the locations of the affordable units are acceptable, whilst it is noted that dwellings are concentrated in to the north and south of the site, several units are 'pepper potted' through the site.
- 8.8 Policy HOU2 refers to housing density, It is noted that objections have been received raising concerns regarding the number of dwellings in that this exceeds the number set out in Policy BISH9 by 11 units. However, Policy BISH9 provides that the site will accommodate 'around 50 units' and the actual number is therefore not prescribed. Members will be aware that modest increases over the number stated in strategic site policies have been accepted in approvals on a number of strategic sites wherein the density of the proposed development has been considered to be acceptable. The density of development proposed is approximately 29 dwellings per hectare. Whilst it is acknowledged that this is denser than Manor Links itself, as this area is generally characterised by spacious plots with large bungalows. Nevertheless this development is a modern development with its own character and

appearance and the proposed density is considered to be acceptable.

- 8.9 The provision of housing, bungalows and the provision of 40% affordable housing carries significant positive weight in the determination of this application.

Design, Layout and Appearance

- 8.10 The National Planning Policy Framework (NPPF) sets out the view of the Government in respect of good design, indeed this is noted as forming a key aspect of sustainable development as it can contribute positively to making places better for people. In particular paragraph 124 of the NPPF sets out that, amongst other things, *“Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”*.
- 8.11 Policies DES2, DES3, DES4 and DES5 seek design quality that respects the constraints of a site and integrates landscaping into the design to minimise impacts on the landscape character. An assessment of the design and layout will be provided below.
- 8.12 The site consists of the provision of 61 units comprising a mix of house types and includes bungalows, houses and flats. The layout features an area of green space and soft landscaping located centrally. As such the development would be in two halves with a proportion of the total number of dwellings being served from each of the two accesses created from Manor Links, resulting in two cul-de sacs with no ability for vehicles to pass through the site but pedestrian links would be provided.
- 8.13 The development proposes single storey bungalows (two of those bungalows would have rooms within the roof), two storey dwellings and two storey flatted buildings. The location of the bungalows would back onto the existing bungalows seen within Manor Links, this accord's with the requirement of part (a) of the

BISH9 policy. The bungalows would be a mix of semi-detached and detached and would appear traditional in character with pitched roofs and gable features presented towards the street. Brick plinths and detailing around the windows adds interest to the appearance of the buildings. Concerns were previously raised regarding the potential for the roof spaces to be converted into habitable accommodation. As a result amendments have been made with the ridge heights having been reduced. In addition it is considered reasonable to impose a condition removing the ability for roof alterations to take place ensuring this relationship with the properties on Manor Links is maintained.

- 8.14 The two storey dwellinghouses would be a mix of detached, semi-detached and one row of terraces. The two storey dwellings would be sited away from the bungalows located on Manor Links, with the closest two storey dwellings located in the north-eastern part of the site closest to properties on Cecil Close and a two storey flatted block located to the southern part of the site that would back onto two storey dwellings located on Manor Links.
- 8.15 The two storey properties vary in terms of their style and design, with dwellings featuring bay windows, gable projections, porches and window detailing adding interest to the buildings. The overall appearances of these properties are considered to be traditional in design and would be of a high quality design in accordance with policy DES4.
- 8.16 In terms of garden sizes, the District Plan policy does not provide specific requirements, however gardens should be of a suitable size commensurate to the dwelling they would serve and be useable. It is considered that whilst the overall size of gardens are acceptable, the removal of permitted development rights for extensions and outbuildings is considered to be appropriate due to the shallow garden depths.
- 8.17 The overall layout of the scheme is considered to be acceptable with dwellings fronting the roads proposed and dwellings

maintaining suitable separation distances with driveways/garages located between dwellings, as such these distances ensure that the street scene does not appear cramped and provides relief about the buildings. The garages would be single storey and are considered to be of an appropriate design. Overall, it is considered that the design and layout of development is of a good quality and in accordance with Policies BISH9 and DES4 of the District Plan and carries positive weight.

8.18 The information submitted alongside the application details that all the dwellings will comply with Building Regulations M4(2) (Accessible and Adaptable Dwellings) and a proportion of the units will comply with Building Regulations M4(3) (Wheelchair User Dwellings) this is considered to be in accordance with policy HOU7 of the District Plan.

8.19 In terms of landscaping, whilst the majority of the site has been cleared of shrubs and vegetation, some trees have been retained which are located centrally within the site and will form part of the soft landscaped area, a condition has been imposed requiring the development to be carried out in accordance with the arboricultural report. The Landscape Officer has not raised any concerns in terms of the proposal having an adverse impact on these trees, however the Landscape Officer considers that there are features of the scheme that suggest overdevelopment. However the Landscape Officer notes that the site layout is improved with the parking courts to plots 49-56 as much improved and generally there is more space for soft landscaping to house frontages and access roads are not as close to the eastern boundary. Whilst these comments are weighed in the balance of the application, overall it is considered that the site will maintain suitable separation distances between dwellings and there is suitable space for soft landscaping to be provided in order to soften the development and create a pleasant public realm. As such the proposal is considered to accord with policy DES3 of the East Herts District Plan. A condition would be included on any grant

of permission requiring details of the soft landscaping to be submitted and approved.

- 8.20 Two parking courts proposed within the development. Following initial concerns raised, alterations to dwellings have resulted in additional fenestration to ensure that the parking courts are overlooked by neighbouring properties providing natural surveillance.
- 8.21 The Hertfordshire police Crime and Prevention Advisor has no concerns regarding the development and is satisfied that the development will achieve the Police Preferred minimum security standard that is Secured by Design. The proposal therefore complies with policy DES5 of the East Herts District Plan 2018.

Climate Change and Water Efficiency

- 8.22 It is expected that all new development demonstrates how the design, materials, construction and operation of the development will minimise overheating in summer and reduce the need for heating in the winter, while integrating green infrastructure as well as demonstrating how carbon dioxide emissions will be minimised across the development site.
- 8.23 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 a Sustainable Construction, Energy and Water 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. This is achieved 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. However in addition, the proposal would include 48 photovoltaic solar panels producing a total of 12 kWp, all facing south-east/southwest. The proposal demonstrates that all units will achieve a reduction in dwelling emission rates of 10.74% better than Building Regulations Part L1A 2013 baseline. The photovoltaic cells will be introduced and placed on select plots across the site. Therefore the total reduction in carbon emissions including fabric and renewables equates to 15.65% over the Building Regulations base and is in compliance with policies CC1 and CC2 of the District Plan.

- 8.24 In terms of water efficiency, policy WAT4 requires that residential developments achieve a target consumption rate of 110 litres per person per day. The details submitted, state that water efficient taps, cisterns, low output showers and flow restrictors will be incorporated into each home to ensure that water use is reduced to a maximum of 110 litres per head per day in accordance with policy WAT4. It is considered reasonable to impose a condition requiring the development achieves at least the target consumption rate set out in policy.

Neighbour impact

- 8.25 Policy DES4 requires a high standard of design, avoiding significant detrimental impact on the amenity of neighbouring occupiers, ensuring their environments are not harmed by noise and disturbance, or by inadequate daylight, privacy and overlooking. Noise and light pollution is the subject of policies EQ2 and EQ3 respectively. A good relationship between new and existing development is one of the themes underlying the well-designed places guidance in the NPPF.
- 8.26 It is important to assess the impact the proposed development will have on the occupiers who reside in properties within Manor Links and Cecil Close as these properties directly adjoin the application site.

- 8.27 Objections have been received from residents and raise concerns regarding the siting of buildings and loss of privacy.
- 8.28 As stated above, bungalows would be immediately to the rear of the existing bungalows on Manor Links. The nature of these dwellings would alleviate concerns regarding overlooking and loss of privacy of the existing dwellings, due to accommodation being at ground floor level and the boundary treatments proposed this would ensure that there is no direct overlooking into the private rear gardens and the windows of those properties on Manor Links. In addition due to the generous rear garden depths of those properties on Manor Links the distances maintained would be approximately 29m at the shortest distance with many properties achieving in excess of 30m.
- 8.29 It is noted that a two storey flatted block can be seen to the south of the site. The flatted block would be adjacent to the two, two storey dwellinghouses located on Manor Links. At its closest point the building would be approximately 2 metres from boundary with these dwellings. It should be noted that following amendments to the scheme this building has been reduced in overall height and changes to the floorplan have been made. Whilst there are no concerns regarding the ground floor windows, the first floor rear windows would serve bathrooms (to be obscure glazed as per the plans) and bedroom windows. Whilst views from the first floor bedroom windows would enable some overlooking of the latter part of the garden of No.37 Manor Links, vegetation can be seen along the boundary and it is not considered that the level of overlooking is such to justify a reason for refusal.
- 8.30 In relation to overlooking and loss of privacy to properties located on Cecil Close, plots 59-61 would be bungalows and therefore no concerns are raised, in addition the separation distances between these properties are significant. The flatted block would be located approximately 7.2m (at its closest point) from the boundary with No.13 Cecil Close and a small substation would be located on the boundary and would be approximately 4.1m in height. Due to the

separation distance achieved no concerns are raised, whilst some views would be possible of the rear gardens of those properties within Cecil Close, this would be of the latter parts of the gardens and as they too are two storey dwellings, there is already a degree of overlooking between dwellings and this relationship is not unusual within a built up area. Therefore the proposed development is considered to be in accordance with policy DES4 (c).

- 8.31 It is noted that a concern has been raised from a neighbour regarding the location of a communal bin store for the flatted building, as this could attract vermin along their boundary. The submission shows that the bin stores would be enclosed brick built bin stores and due to the arrangement of the bin store and cycle store, the refuse side would be located on the side closest to the flatted block itself and would not be immediately on the boundary. As such it is not considered to be unacceptable.
- 8.32 Consideration also needs to be made regarding the neighbouring amenity within the site itself, it is considered that the proposed development would maintain suitable separation distances between dwellings. Whilst some side facing windows can be seen it is not considered that this would result in overlooking to justify a reason for refusal. It is however considered reasonable that any side facing windows that result in direct overlooking towards neighbouring dwellings should have a condition requiring windows to be obscure glazed.

Highway Impacts and parking

- 8.33 Policy TRA1 relates to sustainable transport measures and sets out that development proposals should primarily be located in places which enable sustainable journeys to be made, ensuring that a range of sustainable options are available and ensure that site layouts prioritise the provision of modes of transport other than the car. Policies TRA2 and TRA3 require proposals to ensure safe and suitable access and suitable parking provision. The NPPF

(2019) places emphasis on the importance of sustainable travel, as seen within paragraphs 108 and 110.

- 8.34 Hertfordshire County Council's Local Transport Plan 4 (2018) also places a much greater emphasis on the importance of sustainability/accessibility. Policy 1 states that the first step to consider is that 'opportunities to reduce travel demand and the need to travel' are identified. After that, the needs of vulnerable road users (such as pedestrians and cyclists), then passenger transport users, must come ahead of those who use motorised forms of travel.
- 8.35 A number of neighbour objections have been submitted raising concerns over the increase in traffic in the area and the impact that the development will have on the Dunmow roundabout junction. The highway authority has been consulted on the application and does not wish to raise any objections to the scheme subject to conditions and on the basis of the agreed highway obligations and mitigation measures. These will be explained in more detail below.
- 8.36 Two new accesses will be taken from Manor Links, in accordance with the details submitted; both accesses are considered to be acceptable to the highway authority. The on-site road layout for the southern side is proposed in the form of a shared use roadway and would not be adopted by the County Council.
- 8.37 The transport statement presents trip generation rates from the TRICS database relating to the existing and proposed uses of the site. The predicted increase in the number of car-based trips generated by the proposed residential development during the peak travel periods will not be significant. The Highway authority considers that the trip rates identified in the Transport Statement are appropriate for the location of the site and the conclusions reported in terms of the predicted increase in vehicle trips.
- 8.38 Modelling undertaken has shown that the capacity for the roundabout junction is acceptable and the modelling for the

development is not expected to have a significantly detrimental effect on the flow of traffic, although some delays are expected on the eastern arm of the Dunmow Road in the morning peak. These can be mitigated by Section 278 works and Section 106 contributions to encourage use of sustainable modes of travel.

8.39 The collision analysis found that there were 2 slight collisions in the vicinity of the development site, however there were no clusters evident or clear evidence that the highway arrangements contributed to the collisions. Therefore, due to the nature of the proposed development, it is not expected that the proposal will impact the safety of the highway.

8.40 In accordance with the HCC Planning Obligation Guidance, the highway authority will seek to secure highway works via condition and Section 278 agreement. The works to be undertaken under the Section 278 are:

- Site access works.
- Provision of tactile paving in places where it is missing at the pedestrian crossings between Manor Links and Dunmow Road.
- Provision of the new pedestrian crossing point on Dunmow Road together with a new 3m wide shared foot/cycle route from Manor Links on the south side of Dunmow Road to the proposed crossing point, with a new 2m wide footway on the north side of the road linking to the bus stop.
- Provision of 1 x Kassel kerb, 3 x shelters and 3 x real time information screens at the bus stops (on the eastern side of the development along).

8.41 In addition contributions of £60,375 which increases by 47.22% to take into account SPONS indexation, resulting in a final Sustainable Transport contribution of £88,884.07. As the applicant is to undertake by planning condition some sustainable travel improvements which have a wider public benefit the cost of those works can be deducted from the final headline Section 106 figure

by circa 70% to £26,665.22 The following projects have been identified:

- Formation of a cycle route linking Bishop's Stortford and Stansted Airport along Dunmow Road to facilitate journeys towards the centre of Bishop's Stortford and Stansted.
- Examining a 20mph speed limit to Parsonage Lane to create more suitable, safe and attractive conditions to attract more people to walk and cycle.
- Provision of cycle routes along Parsonage Lane and onward cycle connections along the River Stort towpath and A1250 Dunmow Road.
- Provision of an off-road cycle route alongside the A1250 Dunmow Road between the junction with Haymeads Lane and the junction with Parsonage Lane.

Parking Provision

8.42 With regards to parking provision, 126 allocated parking spaces are proposed. The submitted parking strategy shows all dwellings would have access to parking; the majority of the dwellings have access to on plot parking in a tandem formation, with many dwellings having access to a garage or car port. Those dwellings that do not have on plot parking have access to a shared parking court. The Council's updated parking standards sets out the amount of car parking that should be provided on the site, which equates to the following:

1 bed - 1.5 spaces = 18

2 bed - 2 spaces = 34

3 bed - 2.5 spaces = 53

4 bed - 3 spaces = 33

8.43 In accordance with the updated parking standards 138 parking spaces would be required. Whilst the parking standards zonal maps show the application site to be beyond the settlement boundary this document predates the current District Plan. As the

site is an allocated site it is considered logical that the site (like the surrounding areas) is within zone 4 and therefore up to a 25% reduction in maximum parking levels can be applied. It is noted that the response of the highway authority did not consider the level of on-site provision to result in additional demand for on-street parking in the local area. As such whilst the proposal would result in an under provision of parking spaces, the site is located close to main public transport routes and it is not considered reasonable to justify a reason for refusal on this basis.

- 8.44 Garages and a car port are proposed across the site, in order for garages to be counted as parking standards they should achieve internal dimensions of 5.6m x 2.6m or 3.2m x 5m. Car ports should have minimum internal dimensions of 2.4m x 4.8m. The submitted plans show that all garages would be in excess of these dimensions with internal dimensions of 3m x 7m and therefore can be counted as parking spaces. It is considered reasonable to remove permitted development rights in order to ensure that these spaces are retained for the parking of vehicles.
- 8.45 The information submitted states that vehicle charging points will be provided to all houses across the development, it is considered reasonable for a condition to be imposed requiring further details of the charging points to be installed and their locations to be submitted to and agreed in writing.
- 8.46 The proposal seeks to provide all flatted units with secure cycle storage within structures adjacent to the flatted buildings. With regards to the dwelling houses, each property will have a shed in the rear garden or suitable storage within the garage or car port. The total numbers of cycle parking provision is considered to be acceptable.

Drainage/ Flood risk

- 8.47 Policy WAT1 relates to flooding and is considered to be relevant in the determination of this application. The site lies within Flood Zone 1 and therefore at no risk from fluvial flooding.
- 8.48 The applicant submitted a Flood Risk Assessment and Drainage Strategy alongside the planning application. The Lead Local Flood Authority has been consulted on the application and does not wish to object to the proposal on flood risk grounds. The details provided demonstrate that the proposed development site can be adequately drained and can mitigate any potential existing surface water flood risk, provided it is carried out in accordance with the submitted drainage strategy. The LLFA have requested that conditions are imposed on any grant of consent; these conditions are considered to be necessary and reasonable.

Other Planning Considerations

Archaeology

- 8.49 The application lies approximately 150m to the east of the nearest Area of Archaeological Significance, the site and grounds of a 16th century houses known as The Villa. An archaeological desk based assessment has been submitted supporting the application.
- 8.50 The County Council Archaeologist has been consulted on the application, the main archaeological potential of the site comes from its proximity to Stane Street Roman Road and its prominent topographic position. It is also relatively close to prehistoric and Roman remains, discovered at Woodside Industrial estate in the 1990s, and possible prehistoric features found at Stortford Hall Industrial Park in 1992.
- 8.51 The county archaeologist considers that the development is likely to have an impact on heritage assets and therefore provisions are required and include: Archaeological field evaluation, via trial trenching, mitigation measures necessary by this evaluation and analysis of the results. Therefore it is considered reasonable and

necessary for a condition to be imposed requiring a programme of archaeological work in accordance with a written scheme of investigation.

Contaminated Land, Air Quality, Noise impacts

- 8.52 The application site is an undeveloped site that previously was overgrown with trees and shrubs. Policy EQ1 encourages the remediation of contaminated land to ensure that land is brought back into use. Part II of this policy requires evidence to show that unacceptable risks from contamination and land instability will be successfully addressed through remediation. The submitted report accompanying the application is acceptable and as no elevated levels of contaminants were found, remediation of the site is not required. However a condition is considered reasonable should any contamination be encountered.
- 8.53 Policy EQ2 requires development to be designed and operated in a way that minimises direct and cumulative impact of noise on the surrounding environment. The proposed development is not considered to have a detrimental impact on neighbouring occupiers to justify a reason for refusal. However the Environmental Health Officer has requested that a suitable boundary treatment will be seen along the boundaries of the dwellings along the access roads, this is considered to be reasonable and a condition will be imposed accordingly.
- 8.54 In relation to air quality an assessment has been submitted and no objections have been raised by the Environmental Health Officer as such the proposal is not considered to be in conflict with policy EQ4 of the District Plan.

Ecology

- 8.55 Policy NE2 requires all proposals to achieve a net gain in biodiversity and policy NE3 requires that a development should always seek to enhance biodiversity. A mitigation area is proposed

to the east of the application site on land owned by Bishop Stortford Golf Club, where a range of new habitats would be created and managed. The long term maintenance of this area will be included as an obligation within any Section 106 agreement of which the Golf Club would be party to. The submitted Biodiversity net gain report demonstrates a biodiversity net gain of 0.85%. Whilst Members will note that Herts Middlesex Wildlife Trust (HMWT) raised an objection to the application. The applicant has provided additional information and a biodiversity net gain will be achieved. Whilst HMWT are seeking a 10% net gain, this is not mandatory and the proposal is considered to be compliant with policy.

- 8.56 Hertfordshire Ecology notes a mitigation area is proposed to the east of the application site and considers the proposed habitat created, allied with a long term management programme to provide adequate mitigation/compensation for the loss of biodiversity value in the application site. A condition requiring an ecological management plan is required to provide detail that will facilitate the new habitat creation, management, monitoring and future surveys.
- 8.57 During the course of the application, comments were received from members of the public stating that a population of great crested newts had been found within a body of water on the site. As Great crested newts are a European Protected Species afforded special protection via the Habitats Regulations 2017, it was recommended that the developer establishes the status of the population. As we are outside the ideal survey period, an eDNA analysis was suggested by Hertfordshire Ecology. The eDNA survey has been undertaken of water samples collected from the site. The analysis provided a negative result meaning that there are no great crested newts. As their absence has been shown there can be no conflict with relevant legislation. However visual observations during the survey suggested the visible newt larvae resembled those of smooth newts, these are the most widespread of all British newts and are not afforded the same degree of protection

as great crested newts. The applicant proposes to design a pond in the proposed mitigation area to ensure it remains suitable for smooth newts and is considered to be appropriate.

- 8.58 Concerns were also raised regarding the presence of badgers and reptiles, the county ecologist considers that the PEA and the subsequent reptile survey addresses this satisfactorily. As such the mitigation measures proposed are considered reasonable and well-practised and would not conflict with legislation. The application is not considered to be in conflict with policy or legislation.

Infrastructure Delivery and Planning Obligations

- 8.59 This section of the report will consider the planning obligations heads of terms for the Section 106 Agreement and other planning gain from the development. Policies DEL1 and DEL2 of the East Herts District Plan are relevant and require developers to demonstrate adequate infrastructure capacity can be provided both on and off site to enable the delivery of sustainable development.
- 8.60 The NPPF sets out that Local Planning Authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be sought where they meet all of the following tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended):
- Necessary to make the development acceptable in planning terms
 - Directly related to the development, and
 - Fairly and reasonably related in scale and kind to the development
- 8.61 With regard to development viability, developers will normally be expected to pay all of the planning obligations identified as being

required and meeting these three tests, and to deliver a policy compliant proportion of affordable housing, in this case 40%.

- 8.62 The NPPG advises that: “in making decisions, the local planning authority will need to understand the impact of planning obligations on the proposal. Where an applicant is able to demonstrate to the satisfaction of the local planning authority that the planning obligation would cause the development to be unviable, the local planning authority should be flexible in seeking planning obligations. This is particularly relevant for affordable housing contributions which are often the largest single item sought on housing developments. These contributions should not be sought without regard to individual scheme viability”
- 8.63 The applicant will provide 40% affordable housing in accordance with the Council’s HOU3 policy. The proposal seeks to provide 24 affordable housing units comprising of a mix of 10 x one bedroom flats, 2 x two bed bungalows, 5 x two bedroom houses and 7 x 3 bedroom houses. The Council’s Housing Officer has been consulted and is satisfied with this mix.
- 8.64 HCC request financial contributions towards, nursery education, childcare, primary education, secondary education, youth provision, library provision and the provision of fire hydrants:
- Primary Education - £532,595
Based on costs as of 1Q2020 (BCIS All in TPI) so indexation will need to be applied from this date.
 - Secondary Education
Towards the future expansion of The Hertfordshire and Essex High School and Science College (Girls) - £261,755

Towards the future expansion of Bishop’s Stortford High School (Boys) - £268,005

Based on costs as of 1Q2020 (BCIS All in TPI) so indexation will need to be applied from this date.

- Childcare Service
(index linked PUBSEC175) - £6,802
- Library Service
(index linked PUBSEC175) - £9,498
- Youth Service
(index linked PUBSEC175) - £2,123
- Fire Hydrants

8.65 Hertfordshire County Council Planning obligation guidance implements a two strand approach to planning obligations in order to address the immediate impacts of the new development and the cumulative impacts of all development on non-car networks.

8.66 The following works would be undertaken under Section 278:

- Site access works
- Provision of tactile paving at the pedestrian crossings between Manor Links and Dunmow Road.
- Provision of new pedestrian crossing point on Dunmow Road together with a new 3m wide shared foot/cycle route from Manor Links on the south side of Dunmow Road to the proposed crossing point, with a new 2m wide footway on the north side of the road linking to the bus stop.
- Provision of 1 x Kassell Kerb, 3 x shelters and 3 x real time information screens at the bus stops

8.67 In accordance with the HCC Planning Obligations guidance a total of £60,375 which is increased by 47.22% to take into account of SPONS indexation from 2006. Therefore a final Sustainable Transport Contribution of £88,884.07 is sought. However as the application is required to undertake some sustainable travel

improvements by condition which have a wider public benefit, the cost of these works can be deducted from the final headline figure by 70% to £26,665.22. The following works have been identified:

- Formation of a cycle route linking Bishop's Stortford and Stansted Airport along Dunmow Road to facilitate journeys towards the centre of Bishop's Stortford as well as outwards towards Stansted. and/or
- Examining a 20mph speed limit to Parsonage Lane to create more suitable, safe and attractive conditions to attract more people to walk and cycle.
And/or
- Provision of cycle routes along Parsonage Lane and onward cycle connections along the River Stort Towpath and A1250 Dunmow Road.
And/or
- Provision of an off-road cycle route alongside the A1250 Dunmow Road between the junction with Haymeads Lane and the junction with Parsonage Lane.

8.68 Comments from the East and North Hertfordshire CCG have been received. They request contributions towards General Medical Services (GP provision) and are as follows:

- GMS (GP Services) - £43,176.00

8.69 With regards to the contributions sought by East Herts District Council this has been assessed against the Open Space, Sport and Recreation SPD 2020. In this instance the Council would seek the following:

- Allotments - £6,627 plus maintenance cost of £4,161
- Swimming Pool £25,968
- 3G-AGP £19,666
- Studio Space £4,662
- Fitness Gyms £11,285
- Pitches £10,494

- Outdoor Tennis £7,189
- Village and Community Centres £30,738
- Children's Play/provision for young people £17,000
- Parks and Garden/Amenity Green Space £30,928
- Natural and Semi-Natural Green Space £17,979

(All to be index linked)

8.70 In relation to the Children's Play contribution, as the site would not generate the minimum size for a Local Equipped Area of Play (LEAP) as set out by the Fields in Trust (FIT) guidance, a formal traditional LEAP is not being provided on site. However an area of informal play will be provided, the size of this area has been taken into account and the contribution has been recalculated. Therefore the amount stated above will be used at an off-site play area.

8.71 Natural England identified the site as falling within the Hatfield Forest Zone of Influence and therefore requested mitigation to mitigate the recreational impacts of the proposed development on Hatfield Forest. As such the National Trust have requested an off-site contribution of £9,000 towards Hatfield Forest.

8.72 Obligations to be included within the Section 106 include the maintenance and management of the off-site ecological area and the maintenance and management of all communal areas

9.0 Planning Balance and Conclusion

9.1 The proposal will deliver 61 dwellings as part of the District Plan development strategy; including 24 (40%) affordable units, this carries significant positive weight.

9.2 Overall, it is considered that the design of the buildings and the layout is of good quality, such that it complies with the policy aspiration for the strategic site. The drainage strategy provides for the use of good quality SuDS. The fabric of the buildings demonstrates an appropriate reduction in CO2 emissions and

water use. Overall the sustainable design characteristics of the development carry positive weight.

- 9.3 The proposal provides satisfactory access to the development, an appropriate level of parking provision and the required highway mitigation measures. The highway impact of the proposed development is therefore regarded as neutral.
- 9.4 Subject to conditions the ecological, contamination and pollution impacts of the development are regarded as neutral.
- 9.5 The proposal delivers appropriate levels of financial contribution towards infrastructure and the provision of public amenity space on-site. This is assigned positive weight.
- 9.6 Overall, on the balance of considerations the scheme is considered to be of good design quality and a sustainable form of development.

RECOMMENDATION

That planning permission be **GRANTED**, subject to the completion of a Section 106 Agreement and conditions set out at the end of this report.

Authority be delegated to the Head of Planning and Building Control to finalise conditions and the legal agreement.

Financial contributions set out below have been calculated based on the number and mix of dwellings proposed. The figures quoted here are based on costs calculated at specific points in time and need to be index linked to differing indexes at the time that the agreement is signed.

Legal Agreement

To include the following obligations:

East Herts District Council

40% affordable housing

- Allotments - £6,627 plus £4,161
- Swimming Pool - £25,968
- 3G-AGP - £19,666
- Studio Space - £4,662
- Fitness Gyms - £11,285
- Pitches - £10,494
- Outdoor Tennis - £7,189
- Village and Community Centres - £30,738
- Children's Play/provision for young people - £17,000
- Parks and Garden/Amenity Green Space - £30,928
- Natural and Semi-Natural Green Space - £17,979

(All to be index linked)

- Maintenance and Management of the off-site ecological area
- Maintenance and Management of all communal areas
- £9,000 towards Hatfield Forest

Hertfordshire County Council

- Primary Education - £532,595
Based on costs as of 1Q2020 (BCIS All in TPI) so indexation will need to be applied from this date.
- Secondary Education
Towards the future expansion of The Hertfordshire and Essex High School and Science College (Girls) - £261,755
- Towards the future expansion of Bishop's Stortford High School (Boys) - £268,005

Based on costs as of 1Q2020 (BCIS All in TPI) so indexation will need to be applied from this date.

- Childcare Service
(index linked PUBSEC175) - £6,802
- Library Service
(index linked PUBSEC175) - £9,498
- Youth Service
(index linked PUBSEC175) - £2,123
- Fire Hydrants
- Sustainable Transport Contribution of £88,884.07 is sought. However as the application is required to undertake some sustainable travel improvements by condition which have a wider public benefit, the cost of these works can be deducted from the final headline figure by 70% to £26,665.22.

The following works have been identified:

- Formation of a cycle route linking Bishop's Stortford and Stansted Airport along Dunmow Road to facilitate journeys towards the centre of Bishop's Stortford as well as outwards towards Stansted.
And/or
- Examining a 20mph speed limit to Parsonage Lane to create more suitable, safe and attractive conditions to attract more people to walk and cycle.
And/or
- Provision of cycle routes along Parsonage Lane and onward cycle connections along the River Stort Towpath and A1250 Dunmow Road.
And/or

- Provision of an off-road cycle route alongside the A1250 Dunmow Road between the junction with Haymeads Lane and the junction with Parsonage Lane.

NHS

- GMS (GP Services) - £43,176.00

Conditions:

1. Three year time limit (LT12)
2. Approved Plans (2E10)
3. Prior to any above ground works, samples of all the external materials of construction for the buildings hereby permitted 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 interests of the appearance of the development, and in accordance with policy DES4 of the East Herts District Plan 2018.

4. Levels (2E053)
5. Prior to the first occupation of the development hereby permitted the new vehicular accesses shall be provided in the form of raised tables and provided with kerb radii of 6 metres in accordance with the approved plan ST-2877-01 A (Proposed Means of Access Plan). Prior to its use commencing, arrangements shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

Reason: To ensure construction of a satisfactory access and in the interests of highway safety, traffic movement and amenity in

accordance with Hertfordshire's Local Transport Plan and in accordance with policy TRA2 of the East Herts District Plan 2018.

6. The accesses gradient shall not exceed 1:20 for the first 5 metres into the site as measured from the near channel edge of the adjacent carriageway.

Reason: To ensure construction of a satisfactory access and in the interests of highway safety and amenity in accordance with Hertfordshire's Local Transport Plan and in accordance with policy TRA2 of the East Herts District Plan 2018.

7. Prior to the first occupation of the development hereby permitted a scheme for the parking of cycles including details of the design, level and siting of the proposed parking shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.

Reason: To ensure the provision of adequate cycle parking that meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport in accordance with Hertfordshire's Local Transport Plan and in accordance with policy TRA1 of the East Herts District Plan 2018.

8. Prior to the first occupation of the development hereby permitted the proposed parking and turning areas as shown on the drawing (Ref:1313.203.08 Refuse Strategy Plan) shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

Reason: To ensure construction of a satisfactory development and in the interests of highway safety in accordance with

Hertfordshire's Local Transport Plan and in accordance with policy TRA2 of the East Herts District Plan 2018.

9. Prior to the first occupation of the development, additional plans, drawn to an appropriate scale, must be submitted to and approved in writing by the Local Planning Authority, which show the detailed design and construction of all works within the public highway, including the site access, footway/shared path extension from Manor Links on the south side of Dunmow Road, new pedestrian crossing in Dunmow Road, tactile paving between Manor Links and Dunmow Road and provision of 1 x Kassel Kerb, 3 x shelters and 3 x real time information screens for bus stop in Dunmow Road. These works shall be constructed to the specification of the Highway Authority and Local Planning Authority's satisfaction and completed before first occupation of the development.

Reason: To ensure the provision of an access appropriate for the development in the interests of highway safety and convenience and in accordance with policies TRA1 and TRA2 of the East Herts District Plan 2018.

10. No development above ground slab level shall take place, until a Travel Plan Statement document for the proposed development is submitted for consideration by the Local Planning Authority. The Travel Plan Statement shall be approved in writing and implemented upon the first occupation of the development.

Reason: To deliver an acceptable development and to promote alternative modes of travel to the private car and in accordance with policy TRA1 of the East Herts District Plan 2018.

11. Communal Television Reception Facilities (U0030270)
12. Lighting Details (2E272)
13. Prior to first occupation of the development hereby approved, details of landscaping shall be submitted to and approved in

writing and shall include full details of both hard (including boundary treatments) and soft landscape proposals, finished levels or contours, hard surfacing materials, retained landscape features, planting plans, schedules of plants, species, planting sizes, density of planting and implementation timetable and thereafter the development should be implemented in accordance with the approved details.

Reason: To ensure the provision of amenity afforded by appropriate landscape design in accordance with Policies DES3 and DES4 of the East Herts District Plan 2018.

14. Landscape works implementation (4P132)
15. The development hereby permitted shall be carried out in accordance with the recommendations and tree protection details set out in the submitted Arboricultural Impact Assessment Report (SHA 1020) dated 26th January 2020.

Reason: To ensure the retention of existing trees in accordance with Policies DES3 and DES4 of the East Herts District Plan 2018.

16. An integrated bat and bird box plan shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the ground slab construction. The plan shall include the make, model and location of integrated bat and bird boxes (habibat or similar) for each house bordering the southern and eastern boundaries of the development. The boxes must be fully installed prior to occupation and retained as such thereafter.

Reason: In accordance with policy NE3 of the East Herts District Plan 2018.

17. Archaeology (U0031605)
18. Prior to the commencement of the development, a detailed Construction Environmental Management Plan (CEMP) shall be

submitted to and approved in writing by the Local Planning Authority, and the plan shall include the following:

- a) The construction programme and phasing
- b) Construction vehicle numbers, type, routing;
- c) Hours of operation, delivery and construction and storage compounds (including storage of materials including areas designated for car parking, loading /unloading and turning areas);
- d) Access arrangements to the site;
- e) Details of any highway works necessary to enable construction to take place;
- f) Traffic management requirements;
- g) Siting and details of wheel washing facilities;
- h) Parking and loading arrangements;
- i) Details of any hoarding;
- j) Management of traffic to reduce congestion;
- k) Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
- l) Provision of sufficient on-site parking prior to commencement of construction activities;
- m) Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
- n) where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements.
- o) Control of dust and dirt on the public highway
- p) Details of consultation and complaint management with local neighbours
- q) Waste management proposals
- r) Mechanisms to deal with environmental impacts such as noise and vibration, air quality and dust, light and odour.
- s) Details of any proposed piling operations, including justification for the proposed piling strategy, a vibration impact assessment and proposed control and mitigation measures.

Thereafter the construction of the development shall only be carried out in accordance with the approved CEMP thereafter.

Reason: In the interests of highway safety and the control of environmental impacts in accordance with policies TRA2, EQ2 and EQ4 of the East Herts District Plan 2018.

19. Construction hours (U0031606)
20. Unexpected Contamination (U0031607)
21. Details of a suitable boundary treatment to the Manor Links properties adjacent to the proposed access roads shall be submitted to and approved in writing. These boundaries shall then be installed and maintained thereafter prior to occupation of the development.

Reason: In order to ensure an adequate level of amenity for residents of the existing dwellings in accordance with policy EQ2 of the East Herts District Plan 2018.

22. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (As Amended), or any amending Order, the enlargement, improvement or other alteration of any dwelling house, additional storeys, alterations to roof and outbuildings as described in Schedule 2, Part 1, Classes A, AA, B and E of the Order shall not be undertaken without the prior written permission of the Local Planning Authority.

Reason: In the interests of residential amenity in accordance with Policy DES4 of the East Herts District Plan 2018.

23. Garages/carports (U0031610)
24. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, or any amending

Order, the areas shown for parking on the approved plan(s) shall be retained for such use.

Reason: In the interests of highway safety, in accordance with Policy TRA3 of the East Herts District Plan 2018.

25. Water measures (U0031609)

26. The construction of the development hereby approved shall be carried out in accordance with the provisions for CO2 emissions and energy identified in the submitted Sustainable Construction, Energy and Water Statement (report No. PA-ES-ML-SB-20-02) BY Abbey Consultants.

Reason: To ensure that the construction of dwellings accords with sustainability principles in accordance with Policy CC1 and CC2 of the District Plan 2018.

27. Within 3 months of commencement of the development, details of the measures required to facilitate the provision of high speed broadband internet connections 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. Once approved, high speed broadband infrastructure shall be implemented thereafter in accordance with the approved details including the timetable and method of delivery.

Reason: In order to ensure the provision of appropriate infrastructure to support the future sustainability of the development in accordance with policy BISH9 and DES4 of the East Herts District Plan 2018.

28. The development permitted by this planning permission shall prioritise discharge via infiltration, with the final scheme seeking to reflect the SuDS discharge hierarchy:

1. Discharging via infiltration where possible if BRE Digest 365 infiltration test results demonstrate that infiltration is feasible on site.
2. Full consideration of the SuDS hierarchy with priority given to the provision of above-ground SuDS features.

Reason: To prevent flooding by ensuring the satisfactory disposal of surface water from the site in accordance with policies WAT1 and WAT5 of the East Herts District Plan 2018.

29. The development permitted by this planning permission shall be carried out in accordance with the approved surface water drainage assessment carried out by Stomor, reference number ST2877/FRA-2001 dated January 2020, the letter reference ST2877/200507-LLFA dated 7 May 2020 and the following mitigation measures:

1. Limiting the surface water run-off generated by the critical storm events so that it will not exceed the surface water run-off rate of 16.5 l/s during the 1 in 100 year event plus 40% of climate change event.
2. Providing storage to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event providing a minimum of 323 m³ (or such storage volume agreed with the LLFA) of storage volume in attenuation basins and geocellular tank.
3. Discharge of surface water from the private network to the ordinary watercourse.

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

Reason: To prevent flooding by ensuring the satisfactory disposal and storage of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants in accordance with policy WAT4 of the East Herts District Plan 2018.

30. No development shall take place until a detailed surface water drainage scheme for the site based on the approved drainage strategy and sustainable drainage principles, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including 1 in 100 year + climate change critical storm will not exceed the run-off 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.
1. Detailed infiltration tests conducted to BRE Digest 365 standards at the exact locations and depths where infiltration is proposed.
 2. Detailed engineered drawings of the proposed SuDS features including cross section drawings, their size, volume, depth and any inlet and outlet features including any connecting pipe runs.
 3. Final detailed post-development drainage calculations for all events up to and including the 1 in 100 year + 40% climate change storm, and calculations of half drain down times.
 4. Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason: To prevent the increased risk of flooding, both on and off site in accordance with policies WAT1 and WAT4 of the East Herts District Plan 2018.

31. Prior to the occupation of the development hereby permitted, details of the siting, type and specification of Electric Vehicle Charging Points (EVCPs), the energy sources and the strategy/management plan for supply for all houses and any other points that may also be installed shall be submitted to and approved in writing by the Local Planning Authority. All EVCPs shall be installed in accordance with the approved details prior to occupation of each of the units and permanently maintained and retained thereafter.

Reason: To ensure construction of a satisfactory development and to promote sustainable development in accordance with Hertfordshire's Local Transport Plan and policies DES4 and EQ4 of the East Herts District Plan 2018.

32. Prior to first occupation the covered cycle storage facilities shown on the approved plans shall be provided in accordance with the approved details and thereafter retained for that purpose.

Reason: To ensure the provision of adequate cycle parking that meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport in accordance Hertfordshire's Local Transport Plan (adopted 2018) and policy TRA1 of the East Herts District Plan 2018.

33. Prior to the occupation of the development hereby permitted, details of the arrangements for the management and maintenance of all external communal areas and proposed streets, shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include a plan identifying all external communal areas and roads which are to be managed and maintained. Thereafter all such areas shall be managed and maintained in accordance with the approved details.

Reason: To ensure satisfactory development and to ensure estate roads are managed and maintained thereafter to a suitable and

safe standard in accordance with Hertfordshire's Local Transport Plan and policy DES4 of the East Herts District Plan 2018.

34. Prior to the commencement of the development, a detailed Site Waste Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Site Waste Management Plan shall set out the following:
- a) Details of waste arising during both the site preparation, and construction;
 - b) Definition of the waste types;
 - c) Whether waste is to be reused on the site or disposed from it, and the volumes being dealt with in these ways and the timing of waste disposal from the site;
 - d) Where waste is being transported to, together with details of the waste carrier;
 - e) The total volumes of waste created during enabling and construction works.

Once approved, the construction shall take place in accordance with the approved SWMP.

Reason: In order to minimise waste and ensure most sustainable disposal in accordance with policy CC2 of the East Hertford District Plan.

35. Prior to any above ground works a landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority. The content of the LEMP must detail how it will achieve and maintain a net increase in the biodiversity of the site. The agreed plan shall then be implemented in full in accordance with the agreed timetable.

Reason: To ensure that the development results in a net gain in biodiversity in accordance with policy NE3 of the District plan 2018.

Informatives

1. 01OL1 (Other Legislation)
2. 02OW1 (Ownership)
3. 19SN5 (Street Naming and Numbering)
4. 08PO1 (Planning Obligation)
5. The applicant should be advised that this development would attract a 'second strand' sustainable transport planning obligation contribution of circa £26,665.22 to improve cycling in the area. This funding requirement is derived in accordance with the document 'Planning Obligations Guidance - Toolkit for Hertfordshire (Hertfordshire County Council's requirements)
6. Construction standards for works within the highway: The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site 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 footway/cycleway link. The construction of highway works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements.
7. During the construction phase the guidance in BS5228-1:2009 (Code of Practice for noise Control on construction and open sites) should be adhered to.

The applicant is advised that while the Council has no reason to believe this site is contaminated, and is not aware of any potentially contaminative past use, it is the developer's responsibility to ensure that final ground conditions are fit for the end use of the site. If during any site investigation, excavation,

engineering or construction works evidence of land contamination is identified, the applicant shall notify the Local Planning Authority without delay. Any land contamination identified shall be remediated to the satisfaction of the Local Planning Authority to ensure that the site is made suitable for its end use.

8. Cable and circuitry ratings should be of an adequate size to ensure a minimum continuous current demand for the vehicle of 16A and a maximum demand of 32A (which is recommended for Eco Developments).
 - A separate dedicated circuit protected by an RCBO should be provided from the main distribution board, to a suitably enclosed termination point within a garage, or an accessible enclosed termination point future connection to an external charging point.
 - The electrical circuit shall comply with the Electrical requirements of BS7671:2008 as well as conform to the IET code of practise on Electric Vehicle Charging Equipment Installation 2012 ISBN 978-1-84919-515-7 (PDF)

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	29 units/Ha	
	Bed spaces	Number of units
Number of existing units demolished		
Number of new flat units	1	10
Number of new bungalow units	1	2
	2	9
	3	3
Number of new house units	1	-
	2	8
	3	18
	4+	11
Total		61

Affordable Housing

Number of units	Percentage
24	40%

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

Parking Zone	4	
Residential unit size (bed spaces)	Spaces per unit	Spaces required
1	1.50	18
2	2.00	40
3	2.50	45
4+	3.00	33
Total required		136
Accessibility	25%	

reduction		
Resulting requirement		102
Proposed provision		126