

DEVELOPMENT MANAGEMENT COMMITTEE – 31 MARCH 2021

Application Number	3/20/0113/FUL
Proposal	Creation of a 29 bedroomed hotel with ancillary parking, landscaping and a new vehicle access
Location	Woodlands Lodge, Dunmow Road, Bishop's Stortford, Hertfordshire, CM23 5QX
Parish	Bishops Stortford Town Council
Ward	Bishop's Stortford All Saints

Date of Registration of Application	20 January 2020
Target Determination Date	22 April 2020
Reason for Committee Report	Major Planning Application
Case Officer	James Langsmead

RECOMMENDATION

That planning permission be **GRANTED** subject to a Legal Agreement and to the conditions set out at the end of this report

That 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 Full planning permission is sought to erect a part two/part three-storey, 29 bedroom hotel. This would be in addition to the 11 room bed and breakfast accommodation that is currently on the site. The proposal includes a manager's flat; car parking for 56 cars (inclusive of 3 disabled spaces adjacent to the hotel entrance); a refuse bin store; and, a covered cycle rack for up to 6 cycles.
- 1.2 The 29 rooms would each be approximately 23sqm in floor area and contain two beds, a kitchenette and an en-suite shower room. The ground floor would contain the reception / office, the manager's two bedroom flat, 14 rooms and a laundry room. Access to the upper floors would be by stairs (three staircases) where a further 15 rooms would be located.

1.3 A submitted landscaping scheme illustrates removal of a number of trees on site and selective retention of the trees in the grounds of the existing Lodge. The trees on Dunmow Road frontage (southern boundary) will be partly retained and the north-eastern corner boundary would be partly replaced with native deciduous species of trees. The site plan shows a bin store provided within the car park to the front of the hotel.

1.4 The main issues for consideration are:

- Principle of development;
- Design and layout;
- Highways and parking;
- Waste and recycling;
- Environmental considerations;
- Sustainable drainage;
- Ecology and Biodiversity;
- Climate change adaptation;
- Archaeology;
- Section 106 Obligations.

2.0 Site Description

2.1 The site is approximately 0.4Ha in area and is located on the northern side of Dunmow Road on the eastern edge of Bishop's Stortford. The site contains a two storey building, used as an eleven bedroomed guest house facility with a car park on the western part of the site granted permission on appeal in 1992 (3/92/1661/UT) and extended in 2001 (3/01/0531/FP).

2.2 The part of the application site to the east of the existing lodge is currently unused and contains small, low outhouse structures. The site is edged by trees and is screened from view from Dunmow Road by mature deciduous and evergreen trees. The boundary with the adjacent industrial area is similarly screened by trees from

within the site. The trees on the central and western parts of the site are protected by Tree Preservation Orders.

- 2.3 The site was previously in the Green Belt but was removed from Green Belt designation in the District Plan 2018. The site is bounded by Green Belt to the south of Dunmow Road. To the east and north of the site is Bishop's Stortford Football Club which contains low level spectator stands around the pitch, a strip of open land around and a car park to the north. To the west is the Woodside Employment Area, which contains modern industrial buildings.
- 2.4 The site is approximately 300m from the junction of Dunmow Road with the A120 and beyond that is a motorway services area, the M11, which is approximately 3.7 miles to the east.

3.0 Planning History

3/19/1318/FUL	Construction of 44 room hotel with ancillary vehicle parking and landscaping and a new vehicle access. -	Withdrawn 30.10.2019
3/06/0059/CL	Existing usage- parking area for persons using Stansted Airport	Refused 29.06.2021
3/06/1546/CL	Airport related car park	Refused: 15.09.2006
3/01/0531/FP	Two storey extension to provide additional private accommodation and 2no. Additional bedrooms for bed and breakfast guests.	Approved 18.07.2001
3/92/1661/UT	Change of use from residential to guest house - bed and breakfast	Refused 25.09.1992
3/77/1392/UT	Single storey rear extension to be used as a conservatory	Approved 16.01.1978
3/77/1382/UT	Modernisation and extensions.	Approved 29.04.1977
3/77/1384/UT	Proposed pitch roof garage.	Approved 15.06.1977

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 Bishop's Stortford Central, South and All Saints (2017)

Key Issue	DP	NP	NPPF
Principle of development	DPS2, ED5		Section 6
Layout and Design	DES4, DES3, DES5	HDP2, HDP3	Section 12
Impact on Neighbour Amenity	DES4		Section 12
Climate Change and Mitigation	CC1, CC2, CC3, WAT4		Section 14
Highway impact and parking provision	TRA1, TRA2, TRA3	TP1, TP7, TP11	Section 9
Land Contamination and Noise Pollution	EQ1, EQ3		Section 15
Ecology / Biodiversity	NE2, NE3		Section 15
Archaeology	HA3	HDP9	Section 16
Sustainable Drainage / Flood Risk	WAT1, WAT5	GIP7	Section 14
Infrastructure delivery and planning obligations	DEL1, DEL2	BP5	Section 2 Section 4

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

5.0 **Summary of Consultee Responses**

5.1 Cadent Gas – There is apparatus in the vicinity of the development.

5.2 Thames Water– With regard to foul water sewerage network infrastructure capacity no objection is raised. With regards to

surface water drainage, it is advised the developer follows the sequential approach to the disposal of surface water.

- 5.3 Crime Prevention Officer – Objection, insufficient information with regards to cycle storage and security; insufficient detail regarding security of car park; and, accommodation is unlikely to be suitable for disabled guests (wheelchair users in particular).
- 5.4 EHDC Waste Services – No objection, subject to a condition requiring the on-site storage facilities for commercial waste, including waste for recycling and the arrangements for the disposal of waste detailed on the approved plans to be set up and provided and shall include provision for a minimum of 50% recycling/organic capacity.
- 5.5 Environment Agency – No comments received, however, comments on the previous application for the same development the Environment Agency advised: The development is proposed within approximately 140 meters of Bishop's Stortford Household waste recycling centre. This facility could have an adverse impact on new development due to noise and odour. The applicant should be required to provide suitable mitigation through design and/or financial contributions. Not all impacts may be mitigated and full account should be taken of paragraph 182 of the NPPF.
- 5.6 EHDC Environmental Health – No objections subject to conditions and informatives, concerning contaminated land, noise and air quality
- 5.7 EHDC Conservation and Urban Design – No objection to the overall principle of the scheme, however some concerns are raised to some aspects of the design. Additional soft landscaping could be provided. The design is improved but still utilitarian.
- 5.8 EHDC Landscape Officer – No comments received to revised scheme. Previous comment state that there are no objections relating to impact on existing trees and the surroundings. However, more/improved soft landscaping is required.

- 5.9 HCC Ecology – No objection. The submitted bat survey demonstrates no evidence of bats on site, and the Biodiversity Enhancement Plan contains precautionary measures to safeguard protected species, which should be followed.
- 5.10 HCC Historic Environment – No objection subject to an archaeology condition.
- 5.11 HCC Highways – No objections subject to conditions, a Section 278 agreement for highway works; and Section 106 contribution towards the improvement of the bus stops to encourage sustainable transport and an accessibility contribution.
- 5.12 Lead Local Flood Authority – No objections, subject to condition.
- 5.13 HCC Growth and Infrastructure Unit – No financial contributions are sought.
- 5.14 Herts and Middlesex Wildlife Trust – No comments received.

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

6.0 **Town Council Representations**

- 6.1 Bishops Stortford Town Council – No objection.

7.0 **Other Representations**

- 7.1 The application has been advertised by neighbour consultation, press and site notices. No responses have been received.

8.0 Consideration of Relevant Issues

Principle of Development

- 8.1 Policy DPS2 (The Development Strategy 2011-2033) of the District Plan sets out that the strategy of the Plan is to deliver sustainable development in accordance with a hierarchy of sites, the second of which is "sites within the urban areas" including Bishop's Stortford. The application site has been included within the urban area of Bishop's Stortford since October 2018 through the District Plan process and is no longer in the Green Belt.
- 8.2 The boundary of the Green Belt is marked by Dunmow Road along the south boundary of the site. The Green Belt boundary is characterised by street frontages with mature vegetation and low density developments that are set back from the road frontage, with the exception of Woodlands Lodge which is close to the site frontage set within a line of mature trees. The site is close to the junction of Dunmow Road with the A120. To the east beyond the junction is a motorway service area, the M11 and the approach to Stansted Airport.
- 8.3 Policy ED5 of the District Plan states that new or extended tourism enterprises will be supported in principle, where they meet identified needs that are not met by existing facilities, are appropriately located and do not conflict with other policies of the District Plan.
- 8.4 The principle of development of the site for hotel use is therefore considered to be acceptable.
- 8.5 The application seeks permission for a Class C1 hotel. The proposed hotel would not provide a dining room/restaurant or other communal areas. The applicant has commented, in the submitted Transport Statement (Para 4.11), that pubs and restaurants are within walking distance of the site and no other on-site catering would be provided.

- 8.6 In summary, there are no objections in principle to the creation of a budget hotel in this location, and this would be of benefit to tourism and the economy of the District.

Design / Layout

- 8.7 Policies DES3, DES4 and DES5 of the District Plan seek design quality that respects the constraints of a site and integrates landscaping into the design.
- 8.8 Members are advised that a previous application for a 44 bedroom hotel was withdrawn, following Officer advice that the development by reason of its height, scale, bulk, form, siting and materials, would result in a cramped and visually failed to achieve a high standard of design. There were also concerns about such a large building being so close to the existing hotel on site. A revised scheme of 38 dwellings was then submitted, however, similar concerns remained.
- 8.9 Revisions have been negotiated reducing scale and height of the proposed building. The revised scheme provides a more appropriate design form.
- 8.10 The revised scheme has resulted in reduction of the height of the building by 1 storey and a consequent reduction in the number of rooms proposed to 29. The design of the building has been positively improved.
- 8.11 The mix of roof forms and staggered heights to the front principal elevation have significantly reduces the perceived visual bulk of the development on its principal elevation and an its visual interest has been improved. To the rear this is less apparent, as there are no breaks in the elevation; however, this elevation fronts Woodside Industrial Estate which is characterised by modern industrial buildings that are utilitarian in appearance. It is considered visually this is the least important elevation of the proposed building and

that it does feature an acceptable degree of design articulation between the roof, elevation and window openings.

- 8.12 To the east the application building would face Bishop's Stortford Football Club. The elevation on this side is much smaller in bulk and it is considered to be appropriately proportioned and articulated with both stair cores at each side set back, providing a staggered appearance. To the western end of the building, the elevation width is much narrower and is the least 'bulky' elevation of the overall scheme.
- 8.13 The proposed building is suitably spaced from the site's boundaries, and owing to its size reduction would not result in an unduly cramped appearance. The proposed access and car parking would wrap around two sides of the existing Woodlands Lodge building, and the proposed building would be positioned circa 16m north of the existing lodge, providing an appropriate spacing distance between the two buildings. Space has also been left to accommodate planting along the east and northern boundaries of the site which will help to soften the appearance of the development. It is therefore considered that the development would have an acceptable appearance when viewed from neighbouring sites i.e. such as the football club and the industrial estate.
- 8.14 The proposed materials of construction comprise of brickwork, eternity cement boarding (render) and metal clad roofing. The ratio mix and ratio of materials as illustrated are considered to be appropriate and in keeping with the context of the site and the adjacent neighbouring sites. In order to ensure that an appropriate colour scheme and quality of materials is attained, a condition requiring the approval of details is recommended.
- 8.15 In terms of landscaping, it is considered that the proposed development would achieve an appropriate balance between hard and soft landscaping. A suitable mix of tree and planting species have been provided on the submitted Landscape Plan (Drawing No.

PR153-01 Rev G), which illustrates that the proposed building will be suitably screened from the site's boundary frontage, mitigating its prominence as a large building in the backdrop of the existing hotel building. Along the northern and eastern boundaries of the site, appropriate species have been proposed to minimise the level of maintenance required, and ensure that they will not compromise the amenity of the rooms.

- 8.16 The Landscape Officer and Conservation and Urban Design Team have advised that they consider that the amount of soft landscaping should be improved. However, it should be acknowledged that there are limitations to amount of landscaping that can be provided without compromising the development's parking provision and a reasonable number of rooms within the hotel. Given the built up nature of the industrial estate to the north/north west and the football club to the east, and the sites location close to a motorway (M11) and associated road network it is considered that, on balance, the proposal achieves an acceptable level of hard and soft landscaping, in accordance with Policy DES3 of East Herts District Plan.
- 8.17 Overall, it is considered that the proposed development would achieve a satisfactory design appearance in context with the site and surrounding area, and would not detract from distinctiveness, in accordance with Policies DES3 and DES4 of the District Plan 2018, and Policies HDP2 and HDP3 of the adopted Neighbourhood Plan for Bishop's Stortford Central, South and All Saints.
- 8.18 There are no specific space standards relating to hotel accommodation. The proposed rooms would be double rooms each including a kitchenette and en-suite shower/WC and a floor area of approximately 23sqm. This is on the small size but not uncommon in budget hotels. It is noted that the Crime Prevention Officer raised concerns about the suitability of the accommodation for disabled guests - wheel chair users in particular. Whilst this is not specifically a matter relevant to crime prevention, it is a relevant matter with regards to quality and inclusivity of the development.

Notwithstanding the concern raised, the plans illustrate that the entrance door to the rooms and to the bathrooms are all 838mm wide and are therefore DDA compliant. The applicant has confirmed in subsequent correspondence that any specific provision to make some bathrooms fully equipped for disabled persons (e.g. installing rails etc) will be addressed through the Building Regulations process. Accordingly, it is considered that the quality and functionality of the proposed accommodation, for a budget hotel, is acceptable.

- 8.19 The Manager's accommodation comprises a two bedroom flat with a floor area of 69sqm (Gross Internal Area), which meets the Nationally Described Space Standard of 61-69sqm. The flat has an amenity area of approximately 34sqm to the front of the building. The space is considered to be adequately functional to provide private amenity space for the future occupants, which could be a young family (with children). Privacy of this space can be secured by appropriate planning conditions.

Impact on Neighbour Amenity

- 8.20 Policy DES4(c) of the District Plan requires developments to avoid detrimental impacts on the amenities of occupiers of neighbouring properties.
- 8.21 No objections have been received from neighbouring.
- 8.22 The properties most likely to be affected in this case are the existing bed and breakfast operation on the site. The remaining neighbouring uses are the football club to the east, industrial units in Woodside to the north and west and Bishop's Stortford golf club to the south.
- 8.23 Given the characteristics of surrounding uses they are unlikely to be materially affected by the proposed use.

Highways and parking

- 8.24 The Highway Authority has considered the trip generation assessment in the submitted Transport Statement and is content that the hotel may be accommodated on the local highway network without a material impact. The previously approved vehicle access point would be closed and a new one created adjacent to the existing building on the site of the existing garage, which would be removed. The Highway Authority has no objection to the proposal subject to provision of the new access, closure of existing access, provision of adequate visibility splays for the principal road (A1250) and speed of traffic (30mph) and submission of a Construction Management Plan. These requirements would be secured by conditions on planning permission.
- 8.25 A Section 278 Agreement would be required for works to the public highway associated with the new access.
- 8.26 Given the location of the site on the main road into Bishop's Stortford, it is considered that a Construction Management Plan (CMP) would be required for the proposed development to demonstrate that construction of the new building would be managed to prevent adverse impacts on the highway network. This would be secured by a condition.
- 8.27 Accordingly, subject to conditions, the development would accord with Policy TRA2 of the East Herts District Plan (2018) and TP11 of the adopted Neighbourhood Plan for Bishop's Stortford Central, South and All Saints.
- 8.28 In accordance with Policy TRA3 and the Vehicle Parking Standards 2015, the proposed development requires 46 spaces to be provided (one per new bedroom - including staff accommodation), one space per manager, and two spaces for other staff). Combined with the eleven rooms of the existing bed and breakfast, the site as a whole, would require 46 spaces to be provided and an additional provision

of 3 disabled parking spaces (or 6%, which yields 3.48 spaces) within the application site.

- 8.29 The site layout (Drawing number 400/P/001/G) shows 46 spaces on the site (inclusive of 3 disabled parking spaces); eleven for the existing B and B and the remainder for the proposed hotel. Provision of the car parking spaces prior to first occupation would be secured by planning condition. Accordingly, it is considered that proposed development would accord with parking requirements of Policy TRA3 of the District Plan (2018).
- 8.30 Policy BP5 of the Neighbourhood Plan (BSNP) seeks to secure electric car charging points in new developments at a rate of 10% of spaces. Four electric vehicle charging points have been illustrated on the Landscape Master Plan (Drwg No. PR153-01 Rev J). The proposed provision is considered to be acceptable.
- 8.31 The cycle parking standards for hotels require one weatherproof and secure space per ten bedrooms. A total of four spaces would be required (3 spaces for 29 beds, and 1 for staff). Drwg no. 400/P/001G details a secure cycle store location to the front of the hotel in front of the manager's accommodation amenity area, and the Transport Statement suggests that this would provide 5 spaces. This would be acceptable in principle, however, a condition is recommended requiring the approval of details of design and functionality.
- 8.32 There is currently a dedicated pedestrian access into the site which coincides with dropped kerbs on Dunmow Road and marked with directional bollards in the central reservation area. The Highway Authority have advised that this pedestrian access into the site should be preserved, as illustrated on the Landscape Masterplan drawing and the Site Plan drawing. Since the original submission, and in response the Highway Authority's comments, a revised Landscape Masterplan has been provided, making the pedestrian access route more distinguishable - a light grey block paving different from the rest of the block paving proposed - which clearly

delineates pedestrian and vehicle surfaces for pedestrians and motorists. This is considered to be appropriate, and in line with the recommendations of the Highway Authority. A condition requiring details of clear sign posting to direct pedestrians safely within the site is recommended.

- 8.33 Subject to conditions, the proposed development would accord with Policies TRA2 and TRA3 of the District Plan and Section 9 of the NPPF.

Waste and Recycling

- 8.34 Policy DES4(e) requires developments to provide adequate refuse and recycling facilities to be provided on site. A bin store position is shown on the layout plan as being to the front left side of the development. As the proposal is a commercial operation the bins would be serviced by a contractor. Appendix C of the Transport Statement contains swept path analysis for large cars and refuse vehicles accessing the site. The Highway Authority has not objected on these grounds. Illustrative details of the bin store have been provided on Drawing No. 400/P/002C and are considered appropriate. The development would accord with Policy DES4(e) of EHDP 2018.

Environmental Considerations

- 8.35 Policy EQ1 of the District Plan 2018 requires applications to undertake a site assessment and provide evidence that unacceptable risks from contamination and land instability would be addressed by remediation during or following the development. This aligns with Paragraphs 178-9 of the NPPF.
- 8.36 The applicant has submitted a Phase I Desk Study Report into stability and Contamination, a Ground Stability Assessment and a Ground Stability Investigation Report.

- 8.37 Environmental Health have considered the report and recommendations made in the submitted "Phase One Desk Study", Woodlands Lodge, (Report reference 49764 Rev A, dated April 2019 by Richard Jackson Engineering Consultants). A pre-commencement condition requiring the submission of a Phase II intrusive investigation report, in accordance with BS 10175:2011, to establish whether further contamination is present, and whether subsequent remediation is required is recommended. This would accord with Policy EQ1 of the District Plan.
- 8.38 With regard to noise from surrounding land uses affecting the internal noise levels of hotel rooms, the Environmental Health Department has not requested that a noise assessment be carried out. The application indicates that the rooms would be triple-glazed and it is therefore considered that a condition for noise assessments is not required.
- 8.39 It is noted that the Environment Agency have previously raised concerns about the potential noise and odour impacts from the household waste site. Given the temporary and less sensitive nature of the accommodation (not residential) and the fact that there is an established hotel use on site, it is considered that mitigation and contributions to mitigate impacts, as suggested by the Environment Agency, is not be reasonable or necessary.

Sustainable Drainage

- 8.40 Policies WAT1 and WAT5 of the District Plan seek to ensure that new developments do not increase the risk of flooding on site or on other sites and that sustainable forms of drainage are used and maintained.
- 8.41 A Sustainable Drainage Assessment prepared by Richard Jackson Engineering Consultants, June 2019 (Revision C – 16.09.2020) has been submitted. The LLFA have reviewed the report and advised that they have no objections subject to conditions requiring the that the development be carried out in accordance with the above report

and that the detailed drainage scheme be submitted for approval. These conditions are considered both reasonable and necessary to ensure that the development will accord with Policies WAT1 and WAT5 of the District Plan.

Ecology and Biodiversity

- 8.42 Policies NE2 and NE3 of the District Plan require developments to enhance biodiversity and create opportunities for wildlife and retain/maintain features of biodiversity value, particularly the protection of habitats of protected species.
- 8.43 The applicant has submitted a Bat survey for the site, which concluded that bats were not likely to be present. Hertfordshire Ecology have advised that they have no reason to disagree with the findings of the survey. They have further advised that the landscaping plan and the Biodiversity Enhancement Plan (produced by T4 Ecology Ltd, report date September 2020) provides adequate details of planting and the type, number and location of bat, bird and insect boxes, which will enhance the site for ecology. A condition is recommended in order to secure implementation in accordance with these details, to ensure that the development accords with Policies NE2 and NE3 of the District Plan (2018).

Climate Change

- 8.44 All development must have regard to climate change adaptation and mitigation policies CC1 and CC2 and the building design requirements of Policy DES4, all developments should demonstrate how carbon dioxide emissions will be minimised and how the design, materials, construction and operation of development will minimise heating and cooling requirements.
- 8.45 The application is supported by a Renewable Energy Strategy Report (produced by the Consult Us International group; Rev 0 – September 2020) and TM52 Overheating Assessment Report (produced by the Consult Us International group; Rev 0 – October 2020). The design

and access statement also makes reference to climate adaptation and mitigation measures.

- 8.46 The information supplied in these reports demonstrate that it would not be appropriate, given the size of the development, to explore combined heat and power (CHP) as a means of heating and powering the building. It would not be viable. The use of photovoltaic panels (on the roof of the hotel) as renewable energy source has been explored, which would achieve a reduction in carbon dioxide emissions of 3,944 kgCO₂ per annum, which equates to 5.0%. The incorporation of the energy efficiency measures (97% efficient gas fired boiler supplying under floor heating; 95% efficient direct gas fired water heaters; local mechanical extract in bathrooms, kitchenettes and laundry; and 80 lamp lumens per circuit watt) together with the photovoltaic panels equates to a reduction of 9.6% against the TER 2013 for the scheme, which would exceed policy requirements.
- 8.47 The Overheating Assessment Report demonstrates that the building can achieve a satisfactory degree of thermal comfort without overheating subject to the adoption of the recommendations:
- 8.48 A condition is recommended to require compliance with the assessments to ensure that the development delivers against the climate change and adaption objectives of Policies CC1, CC2, and CC3 of the District Plan.

Archaeology

- 8.49 The proposed development is located adjacent to in Area of Archaeological Significance no. 274. This covers an area where significant archaeological remains comprising Early Iron Age to Roman period pits, ditches and ring gullies were observed prior to the construction of Woodside Industrial Park in 1992 [Historic Environment Record No 9816].

- 8.50 Subsequent archaeological investigations carried out when the football ground was constructed uncovered evidence of early/middle Iron Age occupation [HER 10181] just to the north of the development site. Dunmow Road, on the southern boundary of the site, follows the course of the Roman highway known as Stane Street, which ran east from Braughing to Bishop's Stortford into Essex, and ultimately to Colchester [HER 4680].
- 8.51 The Historic Environment advisor concludes that the development would be likely to have an impact on heritage assets of archaeological interest. Accordingly, in accordance with Policy HA3 an archaeological field evaluation will be required. A condition is therefore recommended.

Section 106 Obligations / Contributions

- 8.52 Further to Policies TRA1 and DEL2 of the District Plan obligations towards sustainable transport can be sought where they are necessary to make a development acceptable in planning terms.
- 8.53 The Highway Authority requests a financial planning obligation of £19,000.00 towards the following sustainable transport improvements:
- a contribution £16,000 to improve the bus stop facilities at Shortcroft ;
 - a contribution of £3,000 towards cycle facilities in Parsonage Lane and Dunmow Road.
- 8.54 The provision of fire hydrants is also requested.

9.0 Planning Balance and Conclusion

- 9.1 The application has been assessed in terms of the principle of the development and found to be acceptable in terms of the use as a hotel in this location, subject to compliance with the other policies of the Development Plan. Use for a hostel has not been considered.

Change of use to a hostel would require planning permission to enable full assessment of the impacts.

- 9.2 The design, siting and scale of the proposed hotel, is considered to be acceptable and in keeping with local distinctiveness. The layout is functional and would provide a reasonable standard of accommodation as a budget hotel.
- 9.3 A suitable landscaping scheme is proposed which would soften and complement the site as well as provide appropriate biodiversity and ecology enhancements.
- 9.4 Adequate parking provision, and cycle storage provision is proposed.
- 9.5 The site proposal complies with the climate change adaptation and mitigation requirements of Policies CC1, CC2, and CC3 of District Plan and provides for sustainable transport mitigation in accordance with Policy TRA1.
- 9.6 The remaining issues detailed in the report can be satisfactorily addressed by the imposition of conditions
- 9.7 Accordingly, on the balance of considerations the proposal is considered to be acceptable and is therefore the application is recommended for approval.

RECOMMENDATION

That planning permission be **GRANTED** subject to a Section 106 legal agreement and the draft conditions set out below at the end of this report.

That delegated authority be granted to the Head of Planning and Building Control to finalise the detail of the Legal Agreement and conditions.

Draft Legal Agreement

Terms	Contribution (£)
A contribution to improve the bus stop facilities (shelters) at Shortcroft (£16,000.00 for shelters).	£16,000.00
A contribution towards cycle facilities in Parsonage Lane and Dunmow Road.	£3,000.00
The provision of fire hydrants	

Conditions

- 1 The development to which this permission relates shall be begun within a period of three years commencing on the date of this notice.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (As Amended).

- 2 The development hereby approved shall be carried out in accordance with the approved plans listed at the end of this Decision Notice.

Reason: To ensure the development is carried out in accordance with the approved plans, drawings and specifications.

- 3 Notwithstanding the approved plans, prior to any above ground construction works being commenced, the external materials of construction for the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority, and thereafter the development should be implemented in accordance with the approved details.

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

- 4 All hard and soft landscape works shall be carried out in accordance with the approved details. Any trees or plants that, within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscaping in accordance with the approved designs, in accordance with policies DES3 and DES4 of the East Herts District Plan 2018.

- 5 All existing trees and hedges shall be retained, unless shown on the approved drawings as being removed. All trees and hedges on and immediately adjoining the site shall be protected from damage as a result of works on the site, to the satisfaction of the Local Planning Authority in accordance with BS5837: 2012 Trees in relation to design, demolition and construction, or any subsequent relevant British Standard, for the duration of the works on site and until at least five years following contractual practical completion of the approved development. In the event that trees or hedging become damaged or otherwise defective during such period, the Local Planning Authority shall be notified as soon as reasonably practicable and remedial action agreed and implemented. In the event that any tree or hedging dies or is removed without the prior consent of the Local Planning Authority, it shall be replaced as soon as is reasonably practicable and, in any case, by not later than the end of the first available planting season, with trees of such size, species and in such number and positions as may be agreed with the Authority.

Reason: To ensure the continuity of amenity afforded by existing trees and hedges, in accordance with Policy DES3 of the East Herts District Plan 2018.

- 6 Prior to the first occupation of the development hereby approved details of any cycle parking facilities proposed in connection with the development shall be submitted to and approved in writing by the Local Planning Authority and thereafter the development should be implemented in accordance with the approved details.

Reason: To promote the use of sustainable transport modes, in accordance with Policy TRA1 of the East Herts District Plan 2018.

- 7 Prior to occupation of the development, a scheme of site security measures shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be installed and be operational prior to first occupation of the development. The scheme shall be retained for the life of the development.

Reason: To deter crime and antisocial behaviour in accordance with Policy DES5 of the East Herts District Plan 2018.

- 8 Prior to the commencement of the development hereby approved a scheme to deal with contamination of land and/or groundwater shall be submitted to and approved by the Local Planning Authority and the development should be implemented in accordance with the approved scheme. The scheme shall include all of the following measures unless the Local Planning Authority dispenses with any such requirement specifically and in writing:

- 1). A site investigation shall be carried out by a competent person to fully and effectively characterise the nature and extent of any land and/or groundwater contamination and its implications. The site investigation shall not be commenced until
 - (i) The requirements of the Local Planning Authority for site investigations have been fully established; and

(ii) The extent and methodology have been agreed in writing with the Local Planning Authority.

Copies of a report on the completed site investigation shall be submitted to the Local Planning Authority without delay on completion.

- 2). A written method statement for the remediation of land and/or groundwater contamination affecting the site shall be agreed in writing with the Local Planning Authority prior to commencement and all requirements shall be implemented and completed to the satisfaction of the Local Planning Authority by a competent person. No deviation shall be made from this scheme without the express written agreement of the Local Planning Authority.

Reason: Details are required prior to the commencement of the development to minimise and prevent pollution of the land and the water environment in accordance with Policy EQ1 of the East Herts District Plan 2018.

- 9 Prior to first occupation of the development, the biodiversity enhancement measures set out in the hereby approved Biodiversity Enhancement Plan (produced by T4 Ecology Ltd; report date: September 2020), shall be implemented in full, and retained in perpetuity thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the development enhances, protects and preserves the sites biodiversity, ecology, and species on site in accordance with Policies NE2 and NE3 of the East Herts District Plan 2018.

- 10 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 in accordance with Policy HA3 of the adopted East Herts District Plan (2018).

- 11 Prior to the first use of the development hereby permitted, the vehicular access shall be provided and thereafter retained at the position shown on the approved plan drawing number 400 / P / 001F, Proposed Site Plan. Arrangement 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 satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in accordance with Policy TRA2 of the East Herts District Plan 2018 and Policy 5 of Hertfordshire's Local Transport Plan.

- 12 Prior to the first occupation, the vehicular access to and egress from the adjoining highway shall be limited to the access shown on drawing number 400 / P / 001F only. Any other access or egress shall be permanently closed, and the footway / highway verge shall be reinstated in accordance with a detailed scheme to be agreed with the Local Planning Authority, concurrently with the bringing into use of the new access.

Reason: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in accordance with Policy TRA2 of the East Herts District Plan 2018 and Policy 5 of Hertfordshire's Local Transport Plan.

- 13 Prior to the commencement of the use hereby permitted, a visibility splay shall be provided in full accordance with the details indicated

on the "entran" drawing number SK03 revision C. The splay shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

Reason: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in accordance with Policy TRA2 of the East Herts District Plan 2018 and Policy 5 of Hertfordshire's Local Transport Plan.

- 14 Prior to the commencement of the development hereby approved, a Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority. The CMP shall identify details of:
- a. Construction vehicle numbers, type, and routing;
 - b. Access arrangements to the site;
 - c. Traffic management requirements
 - d. Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
 - e. Siting and details of wheel washing facilities;
 - f. Cleaning of site entrances, site tracks and the adjacent public highway;
 - g. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
 - h. Provision of sufficient on-site parking prior to commencement of construction activities;
 - i. Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
 - j. 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.
 - k. Environmental management details including hours of working, the mitigation of noise and dust and any other matters covered under BS5228.

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

Reason: Details are required to be approved prior to the commencement of development to minimise the impact of construction on the highway network, neighbouring occupiers and the environment in accordance Policies TRA1 and TRA2 of the East Herts District Plan 2018 and Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan.

- 15 The building shall be used only as hotel under Class C1 and for no other purposes including any other purpose in Class C1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended).

Reason: To ensure that no alternative use is made of the premises which would be detrimental to the amenities of occupants of adjoining premises in accordance with Policy DES4 of the East Herts District Plan 2018.

- 16 Prior to the first occupation or use of the development hereby approved, details of all boundary walls, fences or other means of enclosure (including the hotel manager's flat private amenity space) to be erected shall be submitted to and approved in writing by the Local Planning Authority, and thereafter the development should be implemented in accordance with the approved details.

Reason: In the interests of amenity and good design, in accordance with Policy DES4 of the East Herts District Plan 2018.

- 17 Prior to first occupation of the building, details of motorist and pedestrian signage within the site to identify safe routes to and from the hotel and parking, shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure safe routing of vehicles and pedestrians within the site, in accordance with Policy TRA1 and TRA2 of the East Herts District Plan 2018.

- 18 Prior to first occupation of the building, the refuse and recycling facilities illustrated within the hereby approved plans shall be provided on site, and retained as such thereafter.

Reason: To ensure that adequate means of disposal of refuse and recycling waste on site in accordance with Policy DES4 of the East Herts District Plan 2018.

- 19 The development permitted by this planning permission shall be carried out in accordance with the Sustainable Drainage Assessment carried out by Richard Jackson Engineering Consultants Ltd, project number 49764 issue C, dated September 2020 submitted in support of this application.

1. Limiting the surface water run-off rates to maximum of 1l/s for all rainfall events up to and including the 1 in 100 year + 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 in permeable paved area.
3. Discharge of surface water from the private drain into the Thames Water sewer network.

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

20 No development shall take place until the final design of the drainage scheme is completed and sent to the LPA for approval. The surface water drainage system will be based on the submitted the Sustainable Drainage Assessment carried out by Richard Jackson Engineering Consultants Ltd, project number 49764 issue C, dated September 2020 submitted in support of this application. The scheme shall also include:

1. Detailed engineered drawings of the proposed SuDS features including their, location, size, volume, depth and any inlet and outlet features including any connecting pipe runs.
2. Final detailed post-development network calculations to ensure the scheme caters for all rainfall events up to and including the 1 in 100 year + climate change event. Also to include half drain down times.
3. 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 flooding by ensuring the satisfactory storage of and disposal of surface water from the site in accordance with Policies WAT1 and WAT5 of the East Herts District Plan 2018.

21 The development hereby approved shall be implemented in full accordance with the details and recommendations within the submitted Renewable Energy Strategy Report Rev 0 (dated: September 2020; produced by the Consult US International Group) and the TM52 Overheating Assessment Report Rev 0 (dated: October 2020; produced by the Consult Us International group); and the climate adaptation and mitigation measures within the Design and Access Statement. These mitigation measures shall be retained as such thereafter.

Reason: To ensure that the development delivers against the climate change and adaption objectives of Policies CC1, CC2, and CC3 of the District Plan 2018.

Informatives:

- 1 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.
- 2 This permission does not convey any consent which may be required under any legislation other than the Town and Country Planning Acts. Any permission required under the Building Regulations or under any other Act, must be obtained from the relevant authority or body e.g. Fire Officer, Health and Safety Executive, Environment Agency (Water Interest) etc. Neither does this permission negate or override any private covenants which may affect the land.
- 3 Where works are required within the public highway to facilitate vehicle access, the Highway Authority require the construction of such works to be undertaken to their specification and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to Highways Operations, Hertfordshire County Council, County Hall, Hertford, SG13 8DE (Telephone 0300 123 4047) for further information and to determine the necessary procedures.
- 4 Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

- 5 Obstruction of public highway land: It is an offence under Section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website:
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>
- 6 Road Deposits: It is an offence under Section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website:
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>
- 7 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 access and associated road improvements. The construction of such 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. Further information is available via the website:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>