

DEVELOPMENT MANAGEMENT COMMITTEE – 5 APRIL 2023

Application Number	3/22/1030/OUT
Proposal	Outline planning application with all matters reserved except access for the erection of up to 58 dwellings, amenity space, landscaping and all associated infrastructure
Location	Land to the North-West of Buntingford (East of the A10) Located off Neale Drive and Phillips Way, Buntingford, Hertfordshire
Parish	Buntingford Town Council
Ward	Buntingford

Date of Registration of Application	23 rd May 2022
Target Determination Date	2 nd March 2023
Reason for Committee Report	Major application
Case Officer	Steve Fraser-Lim

RECOMMENDATION

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

1.0 Summary of Proposal and Main Issues

- 1.1 The application proposals seek outline planning application with all matters reserved except access for the erection of up to 58 dwellings, amenity space, landscaping and all associated infrastructure.
- 1.2 The illustrative layout plan suggests two perimeter blocks of housing development located to north and south of Neale Drive with areas of landscaping along the eastern boundary, and north west corner of the site. The proposals are for up to 58 residential units with an illustrative housing mix as set out below:

Indicative housing mix		
Unit size	Open market	Affordable
1 bed flat	9	9
2 Bed bungalow	10	3
2 bed house	6	6
Three bed house	10	5
Total	35 (60%)	23 (40%)
Total open market / affordable units	58	

Illustrative car / cycle parking provision	
Allocated parking for dwellings	107
Visitor spaces	13
Disabled spaces	Not stated
Total car parking	120
Cycle parking	Not stated

1.3 The main issues are in relation to:

- The principle of development
- Affordable housing provision and mix of housing
- Landscaping and design
- Highways and transport
- Drainage, biodiversity and sustainability and are considered in section 8 of this report.

1.4 The site forms part of a wider site identified in policy BUNT1 of the East Herts District Plan 2018 as being suitable for development and the development proposed is broadly in accordance with this policy.

1.5 A Masterplanning Framework for the site was prepared in collaboration with the Planning Service and adopted by Council on the 1st March 2022, which forms a material consideration. This sets out broad principles to guide the development of the site which the scheme is generally in accordance with.

- 1.6 The number of homes proposed on the site is broadly in accordance with policy BUNT1 and 40% of them would be affordable. Concerns are raised about the size and type of affordable homes, but this will be addressed by condition, and assessed at reserved matters stage by the Strategic Housing Market Assessment in force at the time.
- 1.7 The illustrative masterplan suggests a scheme which could respond positively to its context with sufficient space from green space and informal play within the site. Concerns regarding surveillance of the surrounding road network and dominance by car can be resolved at the reserved matters stage.
- 1.8 The local Highway Authority are satisfied with the scheme subject to conditions and approximately 2 vehicle parking spaces per house and 1 per flat could be provided, which is considered to be adequate.
- 1.9 With conditions, the site is considered to be adequately drained and details of a sustainable urban drainage scheme can be secured through condition.
- 1.10 The scheme would require a legal agreement to secure planning obligations, mainly being for 40% of the scheme to be affordable housing and for the provision of financial contributions to infrastructure and other matters.

2.0 Site and Surroundings

- 2.1 The site is 2.29ha in size and currently predominantly cleared and ready for development, with an access road constructed joining the A10 from Neale Drive. Hedgerows are located on the western boundary of the site adjacent to the A10.
- 2.2 The site is located within but adjacent to the northern edge of the Buntingford settlement boundary and is bounded to the north by agricultural fields. Recent housing development adjoins to the east. Agricultural fields are situated on the opposite side of the A10 to the west of the site. Playing fields which are designated open space adjoins to the south.

- 2.3 The town of Buntingford is situated further to the south, including the town centre around 0.5-1 mile to the south of the site. The area forms part of an area where there is a likelihood of items of archaeological significance.

3.0 **Planning History**

The following planning history is of relevance to this proposal:

Application Number	Proposal	Decision	Date
3/17/2921/VAR	Removal of Condition 10 of planning permission 3/16/0471/VAR for full permission for the erection of 180 homes, amenity land for community uses, the creation of one new access onto the A10 and closure of an existing access onto the A10 north of the site, creation of four new accesses onto Ermine Street and the upgrading of one access onto Ermine Street, and the provision of amenity space and associated infrastructure, and in outline with all matters reserved a 50-60 bed care home and sheltered accommodation. Required works to Footpath No. 035 to be undertaken by Hertfordshire County	Granted	January 2019

	Council through a legal agreement.		
	3/18/0028/NMA non-material amendment to 3/16/0471/VAR - Plots 13, 14, 15, 19, 25, 34, 36 and 72 substituted with the Oxford Lifestyle house type, increasing the width of private drive to plots 56 and 57 on the eastern boundary, increasing the size of garden on plot 177 of the southern boundary		
3/17/0179/NMA	Non-Material Amendment to 3/16/0471/VAR to amend the layout and street scene plans to reflect the approved housing mix.	Granted	February 2017
3/17/0570/NMA	Non-material amendment to 3/16/0471/VAR for plot substitutions including relocating one of the bungalows on the northern crescent, alterations to the position of garden fences and alterations to the position of garages.	Granted	May 2017
3/16/0471/VAR	Variation of Condition 14 (approved plans) of planning permission 3/13/1375/OP: Full permission for the erection of 180 homes, amenity land for community uses, the	Granted	December 2016

	<p>creation of one new access onto the A10 and closure of an existing access onto the A10 north of the site, creation of four new accesses onto Ermine Street and the upgrading of one access onto Ermine Street, and the provision of amenity space and associated infrastructure, and in outline with all matters reserved a 50-60 bed care home and sheltered accommodation.</p> <p>Amendments to the layout, mix, and design of the approved residential development.</p>		
3/13/1375/OP	<p>Full permission for the erection of 180 homes, amenity land for community uses, the creation of one new access onto the A10 and closure of an existing access onto the A10 north of the site, creation of four new accesses onto Ermine Street and the upgrading of one access onto Ermine Street, and the provision of amenity space and associated infrastructure, and in outline with all matters reserved a 50-60 bed care home and</p>	Granted	October 2015

	sheltered accommodation.		
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4.0 **Main Policy Issues**

4.1 The main issues of the application relate to the principle of residential development in this location, urban design, sustainability considerations, transport, residential amenity, impacts upon local infrastructure and if any material considerations outweigh any potential policy conflicts. The relevant policies in the National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG), the adopted East Herts District Plan 2018 (DP), are referenced in the table below.

Main Issue	NPPF	East Herts District Plan	Buntingford Community Neighbourhood Plan
Principle of new housing development	Chapter 2, 5, 6, and 8	INT1, DPS1, DPS2, DPS3, BUNT1, HOU1, HOU2, HOU3, HOU7.	HD1, HD7
Sustainability, Climate Change, water management	Chapter 2, 14	CC1, NE4, WAT1, WAT3, WAT4, WAT5, WAT6,	HD3, INFRA4, INFRA5,
Good Design, Landscape Character	Chapter 12, 15	DES2, DES3, DES4, DES5	ES1, HD2, HD4,
Ecology and Biodiversity	Chapter 15	NE2, NE3, NE4	ES5, ES7, ES8,
Amenity (existing and proposed occupiers)	Chapter 4, 12	DES2, DES3, DES4, DES5, EQ2, EQ3, EQ4	
Pollution	Chapter 1, 15	EQ1, EQ2, EQ3, EQ4,	

Transport	Chapter 9	TRA1, TRA2, TRA3, CFLR3,	T1, T2, T4, T6,
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Other relevant issues, including the adopted Masterplan Framework for the site (Land Northwest of Buntingford, adopted March 2022) are referred to in the 'Consideration of Relevant Issues' section below.

5.0 Summary of Consultee Responses

- 5.1 HCC Highway Authority – has no objection subject to conditions regarding: design of site accesses; design of bus stops; Travel Plan Statement; details of hard surfaces that are suitable for turning / manoeuvring; Construction Traffic Management Plan.
- 5.2 EHDC Conservation and Urban Design Advisor Proposals accord with many principles within the Masterplan for the site. However some concerns are raised regarding the illustrative masterplan which should be addressed at reserved matters stage: car dominated frontages to Neale Drive, potential for traffic calming measures; poor frontages to southern edge of the site; consideration of a noise barrier adjacent to the A10; further pedestrian links along pedestrian desire lines.
- 5.3 Lead Local Flood Authority Previously raised concerns that the Drainage Strategy notes that the site is underlain by bedrock for which infiltration techniques are not considered to be a viable option for surface water drainage. Therefore, attenuation storage has been recommended with discharge to existing surface water infrastructure to the east. However, justification is needed to determine why deep borehole soakaways are considered unfeasible.
- 5.4 In addition, some below ground geocellular storage is proposed in parcel B. The proposed geocellular storage tank in Parcel B should be reviewed as no underground storage will be accepted on a greenfield site. Green areas on site should be incorporated into SuDS design to act as multipurpose areas, providing surface water storage,

benefiting water quality, enhancing the local ecology and increasing biodiversity.

- 5.5 A drainage plan, confirmation of greenfield runoff rates, and surface water calculations is also required.
- 5.6 Since these comments were made, an updated drainage strategy has been submitted but no updated comments have been received from the LLFA.
- 5.7 HCC Herts Ecology No comment received.
- 5.8 HCC Minerals and waste commented that a Site Waste Management Plan should be submitted either as part of the application or as a condition.
- 5.9 EHDC Landscape Advise that they have no objection.
- 5.10 EHDC Environmental Health Advisor (ground contamination / air quality / noise) raise no objections subject to conditions regarding: contaminated land site investigation report / remediation scheme / validation report; electric vehicle charging points; control on emissions from gas boilers; noise levels not to exceed BS8233/2014 with new dwellings.
- 5.11 EHDC Housing The proposals would broadly comply with Policy HOU3 as it would deliver 23 affordable housing units (40% affordable housing).
- 5.12 Concerns are raised with regard to the high proportion of 1 bed and shortage of larger 4 bed affordable housing units. In addition one of the proposed 2-bed bungalows does not meet Nationally Described Space Standards. Affordable housing tenure is not specified and the housing team would accept a split of 75% rented and 25% affordable home ownership. These issues would need to be addressed at reserved matters stage.

- 5.13 EHDC Waste management Commented that vehicle tracking is welcome, but no indication of the turning capacity of the freighter to be used. A freighter with a kerb to kerb radius of 12.1m is needed to access, turn and leave the site in forward gear. Recommend a condition requiring submission of full details of waste storage.
- 5.14 EHDC Infrastructure: Request financial contributions (if not provided on site) towards allotments (£10,258), bowls (£13,969), children's play facilities (£124,535), fitness / gym (£14,754), green space (£24,070), outdoor tennis (£9750), parks (£57,175), recycling (£4408), sports halls (£33,200), studio space (£6095), swimming pools (£33,950), community space (£40,186).
- 5.15 Thames Water have advised that regarding surface water drainage, the application indicates that surface water will not be discharged to the public network and as such Thames Water has no objection, however approval should be sought from the Lead Local Flood Authority. Should the applicant subsequently seek a connection to discharge surface water into the public network in the future then we would consider this to be a material change to the proposal, which would require an amendment to the application. With regard to foul drainage a condition is required to secure details of foul water drainage capacity.
- 5.16 HCC Growth and Infrastructure Unit Requested contributions towards primary school provision (build costs £338,944 + land costs £54,500); middle school (£227,005); Upper Education towards the expansion of Freman College (£282,581); Special Educational Needs and Disabilities (SEND) towards the new East Severe Learning Difficulty (SLD) School (£52,788); Library Service towards increasing the capacity of Buntingford Library or its future re-provision (£4,740); Youth Service towards the Buntingford Young People's Centre or its future re-provision (£10,855); and Monitoring Fees (£340 per trigger point).
- 5.17 Hertfordshire and Middlesex Wildlife Trust commented that the application demonstrates a biodiversity net gain and makes reasonable assumptions in the biodiversity metric habitat and

condition scores. A condition should be applied to the decision which states that a LEMP is necessary that demonstrates how a minimum of 5 habitat units will be delivered as well as measures to support swifts and bats.

- 5.18 Hertfordshire and West Essex NHS requests a financial contribution of £74,936 provide increased capacity at Buntingford Medical Centre to meet the needs of the development.

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

6.0 Town/Parish Council Representations

- 6.1 Buntingford Town Council Note that the site is within the settlement boundary but object to the proposals until all consultees concerns are addressed with regard to infrastructure provision. Request contributions towards Seth Ward Community Centre; Bowling Green Lane car park public toilets; upgrade to MUGA to provide 3G surface.

7.0 Summary of Other Representations

- 7.1 11 responses have been received with 10 of these objecting and 1 commenting on the proposal. The objections are on the following grounds:
- Traffic congestion.
 - Other housing developments in Buntingford have not been completed properly with roads not adopted, landscaped areas of poor quality and speed reduction measures on Ermine Street not provided. These issues should addressed before allowing more new development.
 - The space is intended as a buffer between the town and the A10
 - New housing in Buntingford is not needed.
 - Due to recent housing growth Infrastructure in the town (doctors surgery, schools, drainage, sewage) is inadequate to deal with additional housing.

- Waiting times for doctors patients are very long. Increased housing will mean further delays which is dangerous to health.
- Proposals will increase traffic congestion and pollution in the town.
- Parents of children are likely to drive their children to schools outside of the town, causing more congestion and pollution
- The proposals are contrary to the neighbourhood plan.
- A hotel and spa has been consented for the site and this should be built.
- 1100 homes have been built in the town over the last 5-7 years which is more than the local plan target of 500 homes.
- A new primary school which was intended to be built in September has not been built.
- Supermarkets in the town are too small to meet the additional need generated by new housing.
- Bus services to / from Buntingford are too poor to meet the needs of new housing
- There are insufficient facilities for older children in the town
- There are insufficient waste management sites to meet the requirements of the town following the closure of the site in Buntingford.
- Proposals will result in the loss of fields and trees
- Use of Neale Drive by HGVs should be restricted.
- Proposed pathways don't take account of adjacent housing

7.2 The Comments received raise the following issues:

- New access onto A10 and traffic calming measures need to be delivered.

8.0 Consideration of Issues

Principle of Development

- 8.1 The overall development strategy within the East Herts District Plan as summarised within Policy DPS1 identifies the need to deliver new housing, with 18,458 new homes required over the plan period 2011-2033 (839 new homes per year) to meet identified needs. DPS2 seeks to provide these homes in sustainable locations, including urban areas such as Buntingford. Policy BUNT1 includes more detail on development in Buntingford, and states that Buntingford will accommodate a minimum of 1,074 new homes including (f) *“around 236 new homes on land north of Park Farm Industrial Estate”*. Most recently a Masterplan Framework for development of the application site known as Land Northwest of Buntingford was adopted on 1st March 2022. The Masterplan design vision for Land North West of Buntingford is to create a high quality, landscape and design-led scheme for around 55 new homes (including 40% affordable homes), together with amenity space, landscaping and all associated infrastructure, that provides an attractive green approach to the northwest of the town, through appropriate landscape design and new tree and hedgerow planting along Neale Drive, whilst providing attractive green spaces with native planting that create a strong landscape framework for the site.
- 8.2 The Masterplan also requires that the site integrates with the existing homes to the east and will provide high levels of connectivity to encourage active travel (cycling and walking). New homes will adopt a dwelling-centric, fabric first approach which locks in carbon-savings for the life of the building with opportunities for renewable energy technologies to achieve further carbon savings; and electric vehicle charging points and water efficient measures provided to encourage sustainable living.
- 8.3 The proposals would deliver up to 58 new dwellings within the Buntingford settlement boundary, which would be broadly in accordance with policies DPS1, DPS2 and the Masterplan for the site.
- 8.4 The site forms part of the wider area of land to the north of the Park Farm Industrial Estate. Planning permission was granted in 2015 for 180 new homes and a 50-60 bed care home (ref: 3/13/1375/OP, see

history section). The red line plan for this previous application included some parts to the site to the south of Neale Drive, which is also included within the red line area of the current application. Application 3/13/1375/OP identified the potential use of this area of the site as sports pitches. However, as this previous application proposed a significant overprovision of sports pitches, this space was identified as land to be retained by the applicant within the Section 106 agreement for the application.

- 8.5 The area to the north of Neale Drive in the current application was excluded from the red line plan of the previous application, but was outlined in blue, to indicate it was in the same ownership. In addition the plans approved with application 3/13/1375/OP indicatively show a potential 'country house hotel' within the blue line area, although this was not applied for as part of this previous application.
- 8.6 As such the proposed development in conjunction with previous approvals on land to the north of Park Farm industrial estate would result in delivery of 238 dwellings and a 50-60 bed care home. This would result in slightly more residential accommodation than indicated within policy BUNT1(f) for land north of Park Farm Industrial Estate. However the policy proposes an indicative figure only and the hotel development which is suggested on some previous plans for the site would now no longer be progressed. The delivery of additional housing is therefore considered to be in general accordance with district plan policies DPS1, DPS2 and BUNT1 and goes some way towards meeting the District's identified housing need.
- 8.7 In addition the NPPF requires local planning authorities to be able to demonstrate that they have identified the sites on which the first 5 years of housing will be supplied – a 5 year housing land supply (5YHLS). A recent appeal decision concluded that the Council cannot currently demonstrate a five year housing land supply. The consequence of not having a 5YHLS is that the 'tilted balance' is engaged in the decision-making process. The tilted balance refers to paragraph 11(d) of the NPPF which states that if the most relevant Local Plan policies for determining a planning application are out of

date (such as when a 5YHLS cannot be demonstrated), the application should be approved unless the application of NPPF policies that protect areas or assets of particular importance (as defined by the NPPF) provide a clear reason for refusing permission or the harms caused by the application significantly and demonstrably outweigh its benefits, when assessed against policies of the NPPF as a whole.

- 8.8 In this context, the policies considered to be out of date include in particular those relating to the development strategy and delivery of housing which are referred to in this report. As such the above considerations around 5-year housing land supply gives further weight as to the acceptability of development of the site for housing.
- 8.9 Therefore, this application is for the development of an area of land which is within the Buntingford settlement, and which would result in a development of the wider area which is in broad accordance with policy BUNT1.

Affordable housing:

- 8.10 Policy HOU3 recognises housing affordability as a significant issue in the district and seeks up to 40% of new homes on larger developments of 15 or more units to be affordable. The policy also states that a mix of affordable housing tenure types is sought, on a case-by-case basis. Affordable housing should also be of similar design quality to private housing and integrated evenly throughout the site.
- 8.11 The application proposals comprise up to 23 dwellings to be affordable, which would represent up to 40% of total units. In addition, an illustrative affordable housing plan has been submitted which shows the affordable units distributed within 3 of the 4 proposed permitter blocks. As such the proposed affordable housing provision would be in accordance with HOU3 in terms of the total amount of affordable housing.

8.12 Affordable Housing Officer comments are noted with regard to the high number of proposed 1-bed units and low number of 4-bed units within the proposed affordable tenure. A tenure split of 75% affordable rent; 25% affordable home ownership is also sought. These issues have been discussed with the applicants. It should be noted that the application has been submitted in outline and the proposed housing mix is indicative only. The Section 106 agreement includes a head of term requiring submission of an affordable housing scheme, and a planning condition is proposed requiring that the housing mix is within a specified range. These measures will allow officers to secure a mix of affordable housing at reserved matters stage, which addresses the above requirements. As such the affordable housing provision would accord with policy HOU3 and would help to meet housing need in the district.

Housing Mix:

- 8.13 Policy HOU1 states that *“On new housing developments of 5 or more gross additional dwellings, an appropriate mix of housing tenures, types and sizes will be expected in order to create mixed and balanced communities”*. Policy HD7 of the Neighbourhood Plan states that housing mix should reflect local housing need identified through evidence.
- 8.14 The indicative housing mix includes a range of unit sizes including 1-bed flats, 2 bed flats and bungalows, and 3 bed houses. Comments from the Housing Officer with regard to overprovision of 1 bed units and under provision of 4 bed units in the affordable tenure type are noted, and the same issues relate to the overall housing mix. A housing mix which more closely meets the identified need would have approximately fewer 1-bed units than shown indicatively (-3) fewer 2-bed units (-4), more 3-bed units (+1) and some 4-bed units (+6). Officers are satisfied that such a scheme can be secured at reserved matters stage and that the site appears to be able to accommodate such a scheme.
- 8.15 Being an application in outline, the house sizes, layout and relationship to each other will be considered in the layout and scale

reserved matters. To ensure that they come forward in a fashion likely to be acceptable, a condition is recommended to secure a more balanced housing mix, this element of the proposals would be in accordance with policy HOU1 and HD7 and is to ensure that the housing meets an identified local need.

- 8.16 Policy HOU7 requires provision on major sites of units which meet the changing needs of residents or society over their lifetime, and as such 90% of homes should comply with the M4(2) (accessible and adaptable) accessibility standards in the Building Regulations and 10% should meet M4(3) (wheelchair user dwellings). A condition is recommended to secure this.

Good design / Landscape character

- 8.17 Policy DES2 states that *“development proposals must demonstrate how they conserve, enhance or strengthen the character and distinctive features of the district’s landscape”*. Policy DES4 requires development to be of a *“high standard of design and layout to reflect and promote local distinctiveness”* and should amongst other criteria *“respect or improving upon the character of the site and the surrounding area, in terms of its scale, height, massing (volume, shape), orientation, siting, layout, density, building materials (colour, texture), landscaping, environmental assets, and design features”*. The Masterplan Framework for the site (Land northwest of Buntingford) seeks a landscape led design approach which creates a well-connected site with a range a range of house types and sizes.

Overall design approach:

- 8.18 The proposal site comprises two logical parcels of development that would read as a natural continuation of the adjacent earlier residential development to the east. The illustrative layout plan shows how the land to north of Neale Drive can be developed in a layout with two perimeter blocks of two storey housing. Some dwelling types feature adjacent garages and on plot car parking, whilst others feature car parking within the street in front of

proposed dwellings. Areas of soft landscaping, and open space bound this area of the site to north east and west.

- 8.19 The Illustrative layout plan also shows that it is possible for the southern part of the site to be developed with two perimeter blocks of predominantly two storey housing. The southern edge of development comprises 2 storey blocks of flats with parking courts to the east and western edges of the blocks. Areas of soft landscaping and tree planting are also proposed along the eastern and western edges of this part of the site.
- 8.20 This design approach is in accordance with that identified in the Masterplan framework and is supported in principle by officers as it will provide natural surveillance of streets of open spaces, secure rear boundaries to dwellings and allow permeability through the site to provide pedestrian / cycle connections with the adjacent development to the east, and the town centre to the south.

Density / scale / massing / architecture:

- 8.21 Policy HOU2 requires that residential development makes efficient use of land whilst meeting the above criteria for good design, as well as providing sufficient open space to meet the needs of occupiers. Density is assessed considering the site-specific circumstances of each application.
- 8.22 The application proposes up to 58 dwellings which would represent a density of development of 33.5 dwellings per hectare. This is considered to be an acceptable level of density given the sites' location at the periphery of Buntingford, adjacent to recent residential development comprising predominantly 2 storeys detached and semi-detached housing.
- 8.23 The illustrative proposals comprise predominantly 2 storey scale housing but with some bungalows at the northern edge of the site, adjacent to fields, and taller buildings at more prominent corner locations. This scale is considered to be appropriate given the site context at the edge of the town, adjacent to more recent residential

development and to be in accordance with policy HD4 of the Neighbourhood Plan.

- 8.24 The concerns raised in the Design and Conservation comments are noted but in general relate to matters which will be fully assessed at reserved matters application stage. However in general terms, the proposed buildings could provide adequate surveillance to Neale Drive and with appropriate landscaping would not result in a car dominated space on the approach to the development.
- 8.25 The architectural approach of the proposals is not fully known at this stage as elevational appearance of dwellings will be a reserved matter. However, the design and access statement suggests a palette of traditional materials and building elements are likely. Again, this is considered appropriate given the pattern of development in the surrounding area and can be fully tested at reserved matters stage.

Landscape:

- 8.26 The submitted Landscape Visual Impact Assessment states that the proposals would not have an adverse impact on views in the wider landscape. The Councils Landscape Officer accepts the conclusion of this report.
- 8.27 In addition, the proposed indicative landscape strategy plan accords with the principles within the Masterplan Framework and shows that there is space for woodland buffer planting along the eastern and western edges of the site. This will help to screen the proposals from housing to the east, and to provide a visual buffer between the development and the A10 to west. These edges can also include scrub planting and areas of wildflower grassland. As such the proposals have demonstrated that there is sufficient space within the proposals to achieve a good level of landscaping.
- 8.28 Immediately adjacent to the site to the east is a landscaped buffer strip which is associated with the adjacent housing development. To ensure that residents can take advantage of this area and so that the development of this site and the site to the east is well coordinated, a

condition is recommended to secure the details of any fences to be erected, and the removal of permitted development rights relating to means of enclosures more generally to prevent boundary treatments clashing with the landscaped approach.

- 8.29 The landscaped areas have the potential to accommodate children's play provision predominantly for younger age groups. The most suitable locations for this are an area of open space located in the southern portion adjacent to a pedestrian route for younger children and a larger area in the north-west corner of the site. Details of the landscape design including play provision is secured by planning condition.

Design conclusion:

- 8.30 Urban Design Officer comments with regard to some car dominated frontages, and the southern edge of the site are noted. However, these issues can be addressed at reserved matters stage.
- 8.31 The Buntingford Community Area Neighbourhood Plan includes a design code, to ensure that developments accord with policy HD4 (which requires scheme design to respond to its context). The illustrative masterplan indicates that the scheme should be capable of meeting this code at reserved matters stage.
- 8.32 Given the above the proposals are considered to represent good quality design, which enhances the appearance of the site, adjacent village, and wider landscape, in accordance with policies DES2 and DES4.

Heritage assets

- 8.33 Conservation areas and listed buildings: Section 66 and 72 of the Listed Buildings and Conservation Areas Act 1990 require that the Local Planning Authority have special regard to the desirability of preserving or enhancing the character or appearance of a conservation area. This is reiterated within policy HA1 which states that "*Development proposals should preserve and where appropriate*

enhance the historic environment of East Herts... less than substantial harm should be weighed against the public benefits of the proposal”.

- 8.34 The site is some distance from the nearest conservation areas or listed buildings. As such the proposals would not result in any harm to heritage assets.

Transport

- 8.35 District Plan Policy TRA1 aims to promote developments are accessible and conducive to travel by sustainable transport modes. Policy TRA2 states that *“development proposals should ensure that safe and suitable access can be achieved for all users. Site layouts, access proposals and any measures designed to mitigate trip generation produced by the development should: (a) Be acceptable in highway safety terms; (b) Not result in any severe residual cumulative impact; and (c) Not have a significant detrimental effect on the character of the local environment”.*
- 8.36 The site is located approximately 1 mile from shops and services within Buntingford Town Centre. Other services such as schools are in closer proximity to the south. The town is served by bus routes to Royston, Stevenage and Hertford, although there is no train station. As such a number of services are accessible by sustainable transport modes, although a majority of trips are undertaken by private car.
- 8.37 In addition, the applicants have submitted a Transport Assessment which considers the transport impacts of the proposals. The assessment considers that the proposals will generate 31 two-way trips each in the AM and PM peaks, which is considered to have a minimal impact upon the highway network. Cycle routes along Ermine Street to the centre of Buntingford have been improved as part of the earlier housing development applications in the vicinity of the site and the proposals include pedestrian / cycle linkages to Ermine Street from Neale Drive and Baker Drive, to access this route.
- 8.38 Comments from the Urban Design Officer regarding pedestrian connectivity to the east and the adjacent housing development are

noted. Officers consider that in principle additional connectivity is appreciated but the number of hard paved formal pedestrian footpaths should be carefully considered, so as not to undermine the landscaped spaces around the site. As such this issue can be adequately addressed at reserved matters stage as part of the detailed landscape proposals.

- 8.39 Tracking drawings have also been provided to show how waste collection and servicing vehicles can access and service the whole site. In addition, details have been provided to show the visibility splays for the proposed accesses from the A10.
- 8.40 The Transport Assessment has been reviewed by County Highways Officers, who consider the highway impacts of the proposals to be acceptable and have not objected to the proposals, subject to attachment of a number of conditions. As such the proposals are not considered likely to have an adverse impact on highway safety.
- 8.41 Cycle / car parking: District Plan Policy TRA3 states that developments should provide sufficient cycle and vehicle cycle parking to meet required standards (1.25 spaces for 1-bed, 1.5 spaces for 2-bed, 2.25 spaces for 3-bed and 3 spaces for 4 bed dwellings). Provision of 94 car parking spaces would therefore be required to meet the indicative housing mix for the proposals.
- 8.42 The Transport Assessment includes information on car ownership in the surrounding area, and notes that 38% of households own 2 vehicles, and 43% own 1 or fewer vehicles, and this information as well as policy TRA3 has informed car parking provision at the site. 120 residential parking spaces are proposed which would include at least 2 spaces for houses and 1 space for flats. No information is provided with regard to Electric Vehicle Charging Points (1 point per dwelling), but as car parking spaces are designated, and mostly provided on each plot, provision of a proportion of car parking spaces as EV charging spaces to be secured by condition. The proposed car parking provision would exceed that required in policy terms and is considered to be acceptable. Particularly when

considering levels of car ownership, the provision of cycle parking and the location of the site on the edge of a town.

- 8.43 No details of cycle parking have been provided. The illustrative parking plan shows each house has a garden which could accommodate some cycle parking, as well as a building at the rear of the block of flats which could be used for cycle parking for this block. Full details of cycle parking provision can be secured at reserved matters stage. Subject to these conditions car / cycle parking provision exceeds the requirements of District Plan.

Sustainability / water management

- 8.44 District Plan Policy DES1 promotes incorporation of sustainable building design principles in new development, including an energy hierarchy approach which first looks at reducing energy demand through building fabric measures such as insulation and air tightness, followed by efficient energy supply and finally incorporation of on-site renewable energy. Policies WAT4 and WAT5 require efficient use of water and Sustainable Drainage Systems, which aim to collect and retain water within the site, reducing runoff to green field rates.
- 8.45 The applicants have stated that the development will incorporate a fabric first approach to sustainability with levels of insulation, air tightness and double glazing. Energy efficient lighting, services and controls are also proposed in order to reduce energy demand for space heating, cooling ventilation and lighting. In addition, the proposed development is intended to be all electric with heat pumps and photovoltaic panels to meet heating and cooling requirements as well as some electricity demand. Dwellings are designed to meet the governments 'Future Homes Standard' in 2025 which requires that they have a 31% lower level of carbon emissions than 2022 building regulations. In terms of water efficiency, water consumption within the new dwellings will meet or exceed the higher efficient target consumption rate of 110 litres per person per day.

- 8.46 The site is within flood zone 1 and at low risk of flooding. In addition, a revised Surface Water Drainage Strategy has been submitted. Infiltration is not considered to be feasible due to ground conditions. Permeable paving and above ground attenuation such as basins and dry swales are proposed which would have greater landscape and biodiversity benefit than below ground attenuation as originally proposed. Runoff rates are designed to accord with adjacent sites (6.3-6.6L per second). These measures are considered to address the previous Lead Local Flood Authority comments although they have not yet responded to the revised information. In any case, officers are satisfied that the scheme can be suitably drained to not result in the proposal or other surrounding properties being at significant risk of flooding and that a condition can secure details of sustainable drainage measures.
- 8.47 As such subject to conditions regarding drainage, and water / energy efficiency measures to proposals are in accordance with policy DES1, WAT4 and WAT5 regarding sustainability and water management.

Trees, Ecology and Biodiversity

- 8.48 District Plan Policy NE2 states that *“All proposals should achieve a net gain in biodiversity where it is feasible and proportionate to do so, as measured by using and taking into account a locally approved Biodiversity Metric, and avoid harm to, or the loss of features that contribute to the local and wider ecological network”*.
- 8.49 Policy NE3 states that *“Development should always seek to enhance biodiversity and to create opportunities for wildlife...with evidence provided in the form of up-to-date ecological surveys”*. Part II-VIII of the policy also state that harm to trees and hedgerows will be resisted, and that bird and bat boxes will sought on new development bordering open space.
- 8.50 The applicants have submitted an Ecology Survey which considers the development will not result in harm to protected species subject to mitigation measures, that initial works should not take place during the bird nesting season. In addition, several enhancements

are recommended including bird / bat boxes, hedgehog friendly fencing. Soft landscaping is identified as being capable of delivering an 11.5% Biodiversity Net Gain. These measures are considered to meet the requirements of the above policies subject to securing proposed the mitigation and enhancement measures by condition.

- 8.51 In addition, an Arboricultural Impact Assessment has been submitted which considers potential impacts on trees and hedgerows. The site contains one single category B Oak tree and one group of trees of low quality (category C). Groups of trees of good quality (category B) and a hedge (category C) are located outside the site boundary but along its edges with the A10 and to the north. The category B Oak tree is proposed to be retained and incorporated into the development within one of the proposed streets. Some hard surfacing is likely to be required within the Root Protection Area of this tree but provided this undertaken using no dig methods then the proposals were not considered likely to impact unduly on its health. Other hedgerow tree groups adjoining the site will be unaffected by the proposals. The group of category C trees on the site would be removed and appears to comprise of roughly 6 poor quality trees. The indicative masterplan shows significant additional tree planting.
- 8.52 As such subject to conditions regarding tree protection the proposals are considered acceptable regarding tree impacts. Landscape conditions are also proposed to secure a scheme of landscaping across the site, including some new tree and hedgerow planting, and incorporation of native species.

Amenity / pollution

- 8.53 Daylight / sunlight / overlooking existing occupiers: The proposals are a sufficient distance from neighbouring houses or screened by landscaping that they will not result in undue loss of daylight, sunlight or sense of enclosure to existing housing.
- 8.54 Amenity for proposed occupiers: The illustrative layout plan shows potential dwelling sizes which are capable of complying with Nationally Described Space Standards, with the exception of 6x2 bed

bungalows which are at least 3sqm below the required 61sqm standard. However, there is sufficient space within the site that these units could be increased in size at reserved matters stage, which is likely to be necessary.

- 8.55 Garden areas are provided for each dwelling ranging from 50 to 100sqm within the illustrative layout. In addition, a 470sqm rear courtyard area is provided which could serve as amenity space for the block of 18 flats. The illustrative layout also shows separation distances are also at least 19m between windows of habitable rooms.
- 8.56 As such it has been demonstrated that reserved matters applications would provide an acceptable standard of amenity for future residents, in terms of daylight, privacy and external amenity space.
- 8.57 Noise: The site is in proximity to the A10 which experiences high volumes of vehicle traffic and associated noise. An acoustic report has been submitted with the application which concludes that standard thermal double glazing will be adequate in controlling external noise levels for the majority of the Site. However, any habitable room located on the western facades of the proposed block of flats (plots 46-54) overlooking the A10 will require upgraded glazing.
- 8.58 In addition, with an open window however, various living room and bedroom plots with line of sight to the A10 exceed the internal target noise criteria and so alternative ventilation (a window frame mounted acoustic trickle ventilator) has been recommended. This Assessment states that with regards to road traffic noise, the majority of garden areas across the Development fall below 55dB LAeq,16hr, but garden areas with their side facing the A10 require acoustic fences ranging in height from 1.8m to 1.9m high have been specified in order to ensure noise levels in these garden areas achieve the 55dB
- 8.59 The council's Environmental Health Officers have reviewed this assessment and have no objections in relation to noise impacts, provided conditions are attached to secure internal noise levels in line with relevant standards.

- 8.60 Ground contamination: A Ground contamination report has also been submitted which considers ground conditions at the site. The report considers that as the site was previously green fields there is low risk of contamination.
- 8.61 The Council's Environmental Health Officers have reviewed the report and accept these recommendations, subject to a condition requiring further site investigation.
- 8.62 Air Quality: The Council's Environmental Health Officers have requested several conditions to help manage air quality including Construction Management Plan; electric vehicle charging points; control on emissions from gas boilers. The applicant's sustainability strategy proposes an all-electric approach for heating / cooling and as such gas fired boilers are unlikely to be used. The above are all proposed as conditions.

Community Infrastructure

- 8.63 A range of contributions have been requested by the Council's Infrastructure Contributions Officer to so that infrastructure in the town can support additional residents from the development. In addition the Town Council have also identified a need for resurfacing the MUGA at a cost of £64,000.
- 8.64 These contributions have been discussed with the applicant and some contributions (Play space provision, green space, sports hall and playing pitches) are not considered necessary as they are provided on site, or as part of the contribution towards the resurfacing of the MUGA with a 3G surface which will provide fit for purpose sport provision in all weathers.
- 8.65 As such the following contributions will be secured as part of the Section 106 agreement towards local infrastructure: allotments (£10,258), bowls (£13,969), fitness / gym (£14,754), outdoor tennis (£9750), parks (£57,175), recycling (£4408), studio space (£6095),

swimming pools (£33,950), community space (£40,186), resurfacing of MUGA with 3G surface (£64,000).

- 8.66 In addition the Hertfordshire County Council Infrastructure Officer has requested contributions towards primary school / early years provision (build costs £338,944 + land costs £54,500); middle school (£227,005); Upper Education towards the expansion of Freman College (£282,581); Special Educational Needs and Disabilities (SEND) towards the new East Severe Learning Difficulty (SLD) School (£52,788); Library Service towards increasing the capacity of Buntingford Library or its future re-provision (£4,740); Youth Service towards the Buntingford Young People's Centre or its future re-provision (£10,855); and Monitoring Fees (£340 per trigger point).
- 8.67 All the above contributions are proposed to be secured by heads of terms within the Section 106 agreement.

9.0 Planning Balance and Conclusion

- 9.1 The proposals will provide additional housing in a sustainable location which would help meet housing need, including affordable housing and could contribute towards the councils 5-year housing land supply. The illustrative information shows that a development of up to 58 dwellings can be achieved with a high standard of design in accordance with the adopted masterplan framework for the site.
- 9.2 The proposals are also considered to be acceptable in relation to transport impacts, sustainability, drainage and residential amenity. Subject to financial contributions towards delivery of additional capacity, the proposals would not result in undue pressure upon local facilities. Appropriate mitigations for potential impacts around biodiversity / sustainability and water management can be secured by condition. As such the proposals are considered to accord with all relevant District Local Plan policies.

RECOMMENDATION

Grant planning permission subject to completion of a Section 106 agreement with the following heads of terms, and the following conditions:

Heads of Terms

- Affordable housing scheme comprising at least 40% of total housing units, with tenure split of %75 affordable rented and 25% affordable ownership, with size of units to be agreed at reserved matters stage,
- Details of on-site children's play provision as well as management arrangements
- Financial contributions towards the following: allotments (£10,258)
- bowls (£13,969),
- fitness / gym (£14,754),
- Outdoor tennis (£9750),
- parks (£57,175),
- recycling (£4408),
- studio space (£6095),
- swimming pools (£33,950),
- community space (£40,186),
- Contribution towards resurfacing of MUGA with 3G surface (£64,000);
- primary school / early years provision (build costs £338,944 + land costs £54,500);
- middle school (£227,005);
- Upper Education towards the expansion of Freman College (£282,581);
- Special Educational Needs and Disabilities (SEND) towards the new East Severe Learning Difficulty (SLD) School (£52,788);
- Library Service towards increasing the capacity of Buntingford Library or its future re-provision (£4,740);
- Youth Service towards the Buntingford Young People's Centre or its future re-provision (£10,855);
- Legal and Monitoring Fees

Conditions

Time limit

1. Applications for approval of the Reserved Matters shall be made to the Local Planning Authority not later than three years from the date of this permission. The development hereby permitted shall begin no later than two years from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990

In accordance with approved plans

2. The development hereby approved shall be carried out in accordance with the approved plans listed below:
Location Plan (drawing number 021-013-1000-P1)
Parameters Plan (drawing number 021-013-104 P1)
Proposed Access Arrangements (drawing number 1811-10 PL04)

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

Reserved matters to be submitted

3. The Details of the (i) Appearance, (ii) Layout (iii) Landscape (iv) and scale defined by the Town and Country Planning (General Development Procedure) Order 1995 (as amended) (hereinafter called "the Reserved Matters") of the development shall be submitted to and approved in writing by the Local Planning Authority before the phase of development commences. the phase of development shall be carried out in accordance with the Reserved Matters as approved, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure that the Local Authority is satisfied with the details of the proposed development

Pre commencement

Construction management plan

4. No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan: The Construction Management Plan shall include details of:
 - a. Construction vehicle numbers, type, 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, temporary pedestrian routes/signage and remaining road and PROW width for pedestrian and vehicle movements.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

Ground contamination scheme

5. The development hereby permitted shall not begin until a scheme to deal with contamination of land/ground gas/controlled waters has been submitted to and approved for each phase in writing by the local planning authority. The scheme shall include all of the following measures, unless the local planning authority dispenses with any such requirement specifically in writing:
 - i. A Phase I site investigation report for each phase carried out by a competent person to include a desk study, site walkover, the production of a site conceptual model and a human health and environmental risk assessment, undertaken in accordance with BS 10175: 2011 Investigation of Potentially Contaminated Sites – Code of Practice.
 - ii. A Phase II intrusive investigation report for each phase detailing all investigative works and sampling on site, together with the results of the analysis, undertaken in accordance with BS 10175:2011 Investigation of Potentially Contaminated Sites – Code of Practice. The report shall include a detailed quantitative human health and environmental risk assessment.
 - iii. A remediation scheme for each phase detailing how the remediation will be undertaken, what methods will be used and what is to be achieved. A clear end point of the remediation shall be stated, and how this will be validated. Any ongoing monitoring shall also be determined.
 - iv. If during the works contamination is encountered which has not previously been identified, then the additional contamination shall be fully assessed in an appropriate remediation scheme which shall be submitted to and approved in writing by the local

planning authority.

- v. A validation report for each phase detailing the proposed remediation works and quality assurance certificates to show that the works have been carried out in full accordance with the approved methodology shall be submitted prior to first occupation of each phase of the development. Details of any post-remedial sampling and analysis to demonstrate that the site has achieved the required clean-up criteria shall be included, together with the necessary documentation detailing what waste materials have been removed from the site.

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

Surface water drainage scheme

6. 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, including a timescale for implementation.

Reason: In the interests of sustainable drainage in accordance with policy WAT5 of the East Herts District Plan 2018.

Landscape Environmental Management Plan

7. Development shall not commence until a LEMP has been submitted to and approved in writing by the local planning authority to achieve a net gain in biodiversity and include the following:
- a) Description and evaluation of features to be managed
 - b) Aims and objectives of management
 - c) Appropriate management options for achieving target condition for habitats as described in the approved metric
 - d) Details of management actions
 - f) Details of the body or organisation responsible for implementation of the plan
 - g) Ongoing monitoring plan and remedial measures to ensure habitat condition targets are met
 - h) Details of species and mixes selected to achieve target habitat conditions as identified in approved metric
 - i) Location of bat and bird boxes/structures
 - j) Compliance with the mitigation measures set out in Section 6 of the Ecological Appraisal

The plan shall be implemented as approved for the life of the development.

Reason: This Management Plan is required to secure the protection of and proper provision for protected species and habitats of ecological interest in accordance with Policies NE2 and NE3 of the East Herts District Plan 2018 and to ensure the provision, establishment and maintenance of a reasonable standard of landscaping in accordance with Policies DES3 and DES4 of the East Herts District Plan 2018.

Prior to occupation

Details of external materials

8. 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.

Car / cycle parking

9. No above ground construction on the hereby approved development shall take place until details of car / cycle parking provision which shall have regard to the Council's Vehicle Parking SPD have been submitted for approval by the local planning authority. The approved vehicle parking shall thereafter be implemented prior to first occupation, retained and maintained in full accordance with the approved details.

Reason: Reason In order to promote sustainable transport and reduce environmental impacts in the District in accordance with Policy TRA1 Sustainable Transport, EQ4 Air Quality, DES4 Design of Development of the adopted East Herts District Plan 2018 and the East Herts Vehicle Parking Standards SPD 2007.

Electric Vehicle Charging Points

10. The occupation of the development authorised by this permission shall not begin until the details of the siting, type and specification of Electric vehicle charging points (EVCPs) (with one EVCP provided per dwelling unless otherwise agreed), the energy sources and the strategy/management plan for supply and maintenance of the EVCPs have been submitted to and approved in writing by the Local Planning Authority. All EVCPs shall be installed in accordance with the

approved details and permanently maintained and retained. No dwelling shall be occupied until the EVCP serving that dwelling has been installed.

Reason: To ensure construction of a satisfactory development and to promote sustainable development in accordance with Policies 5, 19 and 20 of Hertfordshire's Local Transport Plan (adopted 2018)

SuDs Management Plan

11. Upon completion of the drainage works for the site, a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
 1. Provision of a complete set of built drawings for site drainage.
 2. Photos demonstrating the installation of SuDS features.
 3. Details of all maintenance and operational activities for drainage systems on site.
 4. Arrangements for adoption and any other measure to secure the operation of the scheme throughout its lifetime. Confirmation of who will be adopting and maintaining the system will be required.

Reason: To ensure the site is appropriately drained as required by policies WAT1 and WAT5 of the East Herts District Plan 2018.

Building Sustainability Measures

12. Prior to commencement of above ground works, details of sustainability measures to be incorporated with the development including energy efficient construction techniques, energy efficient lighting, services and controls, efficient energy supply, water efficiency measures which show that the higher building regulations standard (G2) for water efficiency (110L per day) is met, compliance with Future Homes standard (unless otherwise agreed) shall be submitted for approval to the local planning authority. The

development, hereby permitted, shall be implemented and thereafter maintained in full accordance with these details.

Reason: In the interests of reducing carbon dioxide emissions and promoting the principles of sustainable construction (East Herts Sustainability SPD 2021).

Travel Plan Statement

13. At least two months before first occupation, a revised Travel Plan Statement for the residential development shall be submitted and approved in writing by the Local Planning Authority in consultation with the Highway Authority. This shall consist of a written agreement with the County Council setting out a scheme to encourage, regulate, and promote sustainable travel measures for owners, occupiers, and visitors to the development in accordance with the provisions of the County Council's 'Travel Plan Guidance for Business and Residential Development'. The Plan shall be implemented in full thereafter.

Reason: To promote sustainable travel measures to the development, in accordance with paragraphs 110-112 of the NPPF and HCC's LTP4 policies 1, 3, 5, 6, 7, 8, 9, 10.

Detailed design of site accesses

14. Before first occupation of the development, additional plans must be submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority, which show the detailed engineering designs and construction of the two site accesses and associated highway works, as shown indicatively on drawing number 1811-10 PL04. 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. This shall include the permanent provision of the visibility splays as shown on these plans: 2.4m x 43m in both directions, within which there shall be no obstruction to visibility between 600mm and 2 metres above the carriageway level.

Reason: To ensure the provision of vehicle accesses which are safe, suitable, and sustainable for all highway users.

Foul drainage capacity

15. No development shall be occupied until confirmation has been provided that either:- 1. Foul water Capacity exists off site to serve the development, or 2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan, or 3. All Foul water network upgrades required to accommodate the additional flows from the development have been completed.

Reason: Network reinforcement works may be required to accommodate the proposed development.

Biodiversity enhancement measures

16. Prior to the occupation of the development, details of biodiversity enhancement measures in the ecological report, consisting of 29 integrated bat cavity boxes and 29 integrated swift boxes, shall be submitted to and approved in writing by the local planning authority. The approved measures shall be incorporated into the scheme, be fully constructed prior to occupation of the approved development and retained as such thereafter.'

Reason: To conserve and enhance biodiversity in accordance with NE3 VII and NPPF.

Waste and recycling storage details

17. Prior to occupation of the development full details of onsite storage for waste and recycling shall be submitted to and approved in writing

by the local planning authority. Such details shall include the specific positions of where wheeled bins will be stationed and specific arrangements to enable collection within 15m of the kerbside of the adopted highway / refuse collection vehicle access point. The approved facilities shall be provided prior to commencement of the use hereby permitted, and shall be retained and maintained thereafter, unless alternative arrangements are agreed in writing by the local planning authority.

Reason: To protect the amenity of nearby residents and in the interests of visual amenity.

Pedestrian footpath links

18. The hereby approved development shall not be occupied until details of pedestrian footpath connections from the site to the adjacent housing development and land to the south are submitted for approval to the local planning authority. The development shall not be occupied until the approved details are implemented in full prior and shall be retained and maintained thereafter.

Reason: To support active travel and to ensure that the development integrates appropriately with surrounding built environment.

Compliance conditions

Trees and hedges retained

19. 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.

Hours of construction

20. No plant or machinery shall be operated on the site during the construction phase of the development hereby permitted before 0730hrs on Monday to Saturday, nor after 1800hrs on weekdays and 1300hrs on Saturdays, nor at any time on Sundays or bank holidays.

Reason: To safeguard the amenities of residents of nearby properties, in accordance with Policy EQ2 of the East Herts District Plan 2018.

Reserved matters mix of unit sizes

21. Concurrent with the submission of reserved matters, the housing mix for a Phase shall be submitted to and agreed in writing with the local planning authority. This shall include a schedule of the mix of house types and sizes to be provided within the reserved matters, which shall take account of the latest Strategic Housing Market Assessment and any additional up-to-date evidence, unless otherwise agreed. The approved details shall be adhered to in the reserved matters applications submitted for that Phase.

Reason: To ensure that an adequate mix of housing by unit/tenure/position is provided

Reserved matters to comply with National Space Standards

22. Reserved Matters Applications shall demonstrate that all of the residential units hereby approved will be designed and constructed as far as practicable to meet the standards contained within the Nationally Described Space Standards (unless otherwise agreed).

Reason: To ensure that reasonable living conditions for future occupiers

Reserved matters details of boundary treatments

23. Reserved matters applications shall include details of boundary treatments both to delineate public and private defensible space, as well as the boundaries of the site with adjacent land. The submitted details shall demonstrate that there would be no walls / fencing restricting access between the site and neighbouring housing development to the east / land to the south.

Reason: To ensure that the development integrates appropriately with surrounding environment.

Checklist against Buntingford Neighbourhood Plan Design Code

24. Reserved matters applications shall be accompanied by a checklist against the Buntingford Neighbourhood Plan Design Code.

Reason: In order to ensure a high standard of design and accordance with the Buntingford Neighbourhood Plan.

M4(2) Dwellings

25. All dwellings within the development (except those completed to M4(3) requirements) hereby approved shall be completed in compliance with Building Regulations Optional Requirement Part M4(2) 'accessible and adaptable dwellings' (or any subsequent replacement) prior to first occupation and shall be retained as such thereafter.

Reason: To ensure that the proposed development is adequately accessible for future occupiers.

M4(3) dwellings

26. At least 10% of all dwellings within the development hereby approved shall be completed in compliance with Building Regulations Optional Requirement Part M4 (3) 'wheelchair user dwellings' (or any subsequent replacement) prior to first occupation and shall be retained as such thereafter, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the proposed development is adequately accessible for future occupiers.

Reserved matters not more than 58 units

27. Reserved matters applications shall not exceed 58 residential units, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the development is in accordance with the regulatory plans and particulars of the application.

Reserved matters hard surface requirements

28. The detailed plans submitted in connection with approval of reserved matters shall show to the satisfaction of the Local Planning Authority:
- The details of all hard surfaced areas within the site. This includes, but is not limited to, all roads, footways, forecourts, driveways, parking and turning areas, and foul and surface water drainage.
 - The level of footway and carriageway visibility from each individual vehicle access, and the level of visibility from and around each main junction within the site, within which there shall be no obstruction to visibility between 600mm and 2 m above the carriageway level.
 - That service vehicles, including refuse and emergency vehicles, can safely and conveniently access and route through the site, to include the provision of sufficient turning and operating areas.
 - The provision of

sufficient facilities for cycle storage. All these features shall be provided before first occupation and maintained in perpetuity.

Reason: To provide adequate visibility for drivers within the site, to promote alternative modes of travel, and for the overall free and safe flow of all site users.

Internal noise levels

29. The noise levels in habitable rooms (living rooms and bedrooms) and the external amenity areas at the development hereby approved shall meet the amenity standards in accordance with the criteria of BS 8233:2014 'Guidance on sound insulation and noise reduction for buildings' for internal rooms and external amenity areas. Construction methods and materials to achieve this shall be implemented prior to use of the development and thereafter be permanently retained.

Reason: In order to ensure an adequate level of amenity for future occupiers of the proposed development in accordance with Policy EQ2 Noise Pollution and DES4 Design of Development of the adopted East Herts District Plan 2018.

Best Practical Means for construction

30. Best Practicable Means (BPM) shall be used in controlling dust emissions during all site preparation, demolition, construction and ancillary activities.

Reason: In order to ensure an adequate level of amenity for nearby residents in accordance with Policy EQ4 Air Quality of the adopted East Herts District Plan 2018.

Informatives

1. Other legislation

2. Archaeological interest
3. Public Rights of Way
4. No use of cranes or tall equipment
5. Bats

Justification to grant

Informative for electric vehicle charging points Electric vehicle charging point specification for domestic installations 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. Additional guidance on charge point installation is available from the Office for Zero Emission Vehicles at

<https://www.gov.uk/government/organisations/office-for-zero-emission-vehicles>

Plans for Approval:

Plan Ref	Version	Received
021-013-1000	P1	16/05/2022
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1811-10-PL04		07/02/2023
1811-10-PL05		07/02/2023